MINUTES OF THE 408th MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 am ON THURSDAY, 27 AUGUST 2015 IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST

Present: Marie Mallon (Chair)

Deirdre Fitzpatrick Sally McKee Gary McMichael Alison Millar Jill Minne Daire Murphy Gordon Parkes Pauline Shepherd

In Attendance: Tom Evans (Chief Executive)

Penny Holloway (Director, Conciliation & Arbitration)

David McGrath (Director, Advisory Services)
Gerry O'Neill (Director, Corporate Services)

Alison Wolfe (Minutes Secretary)

Action

	Action
1. Apologies	
An apology was received from Albert Mills.	
The Chair indicated that the minutes from the 21 May 2015 meeting were being tabled to deal with a number of matters arising; and that the Agency's Section 75 Annual Progress Report was also being tabled for discussion at the	
September meeting.	Secretary
2. Item 5.1 – Conflicts of Interest	
The Chair advised that this item will now be dealt with as the first item of business at all future Board meetings. There were no interests declared.	
3. Minutes of Previous Meeting held on 25 June 2015	
The minutes of the meeting held on 25 June 2015 were agreed as a true and accurate record of the meeting subject to amendments to 5.3 proposed by the Chair of the Audit and Risk Assurance Committee.	Secretary

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4. Matters Arising from 21 May 2015 minutes

4.1 SME Support Strategy

The DAS provided a verbal progress report and tabled the Agency's September-December 2015 events programme. The DAS also briefed the Board on a series of seminars facilitated by the Agency and the Equality Commission on behalf of ICTU as well as an upcoming business support event being hosted by Minister Foster. Board members interested in attending the Business Support Clinic should contact the Secretariat.

BMs/Sec

The DAS advised Board members that the proposed UU survey of SMEs may not proceed because of funding difficulties.

DAS

Board members agreed that work was progressing well on a number of fronts and that it was important to continue to work with the independent advice sector to ensure that employees in non-unionised workplaces are aware of the Agency's services.

DAS

The CEO advised that he had met Kirsty McManus, UU SME Centre, and Lisa Bryson, A&L Goodbody, to discuss a project to develop HR training for non HR managers. The Centre has also agreed to consider terms of reference for a research project focusing on the potential correlation between good employment relations and productivity in the SME sector.

CEO

4.2 Staff Survey

The CEO updated the Board on his recent meeting with Damian McAllister, HR Director with the Belfast Trust, to discuss the Trust's approach to health and well-being. The CEO advised that he has asked the Advisory Directorate to review a range of the Agency's internal policies including our approach to health and wellbeing. The Board to receive updates as this project progresses.

CEO/DAS

The CEO indicated that he had received a confidential report from Carecall that had been commissioned prior to his appointment to examine issues around staff relationships and harassment. He advised that the matter would be discussed at the September JNCC meeting in September and that he would update the Board at the September Board meeting.

CEO

4.3 IiP

The DCS briefed the Board on arrangements for the IiP assessment scheduled to take place during the week commencing 28 September. The Chair of the Board will be interviewed by the assessor as well as a significant sample of staff from across the organisation.

DCS

4.4 Board Priorities

The CEO highlighted the actions that had been progressed since the last Board meeting. The Chair commented that good progress had been made on many of the actions set out in the Board Priorities paper; and reported that DEL had recently confirmed that it would be appropriate, given the recent appointment of the CEO, Chair and Board members and the planned restructuring of government departments, for the Board to review the strategic direction of the Agency as currently framed in the 2014-17 Corporate Plan.

Board

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It was agreed that it was important to communicate and involve staff and key stakeholders in any discussions about the strategic direction of the Agency. Under Board operations it was also agreed that all future Board papers should have a cover paper indicating whether papers are for noting and highlighting any formal recommendations.	CEO
4.5 Board Sub-Committees The Chair expressed her appreciation for Board members assistance in completing the appraisal process and their contribution to discussions on the structure of the Board sub-committees.	
The Chair advised that, in the interests of good governance, the Vice-Chair of the Board, Sally Mckee, will chair the Finance & Personnel Sub-Committee with Jill Minne and Albert Mills being members.	
The Chair also advised that Gary McMichael will chair the Research Committee and that Daire Murphy had agreed to join the committee.	
Meetings of the Finance and Personnel and Research Committees to be arranged to review terms of reference and to agree a work programme.	Cttee Chairs
5. Matters Arising from 25 June Minutes	
5.1 Workshop on Employment Law Developments Board members commented that they had found the workshop on employment law developments very useful. It was agreed that the next workshop should have an internal and external focus; an overview of phase 1 of the ICMS project and a presentation from Steve Mungavin on CIPFA's Mark of Excellence award were suggested by the Chair.	CEO/DCA
5.2 NIAO Report The CEO updated the Board on his meeting with Steve Mungavin regarding CIPFA's Mark Of Excellence Award. It was agreed that the Board should actively explore the merits of this governance standard, initially through a presentation from CIPFA.	CEO
5.3 Annual Report/Accounts The CEO confirmed that the Annual Report & Accounts had been laid before the Assembly in July.	
The Board had an initial discussion about the arrangements for the Agency's 2015 annual general meeting and presentation of accounts, to take place after either the October or November Board meeting. It was agreed that the CEO should approach Kieran Mulvey, the Chief Executive designate of the ROI's Workplace Relations Commission.	CEO/Sec
6. Chair's Business	
6.1 Conflicts of Interest/Register of Interests Covered under item 2.	

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6.2 Board Member Training/Appraisals

It was noted that the Chair and DAS will be attending the TUC annual conference in September with Deirdre Fitzpatrick and the DCA attending the CBI annual conference in November; the CEO to attend the international agencies conference in November.

Information regarding external conferences continues to be circulated to Board members.

Secretary

Alison Millar reflected that in 2014-15 the Board had decided for genuine financial reasons not to send a representative to any external conferences and that she was supportive of Board and staff attendance this year. She raised some concerns about the sustainability of the Agency funding the Certification Officer's attendance at the TUC conference on an annual basis. The CEO advised that the Certification Officer is an independent statutory post and is therefore responsible for her own professional development, with any accountability resting with DEL.

The CEO acknowledged that there have been on-going accountability issues that had been raised in the context of an earlier internal audit report, which recommended a review of the Memorandum of Understanding (MOU) between the Agency and the Certification Officer. The CEO gave a commitment to expedite this review in a way that addresses the tripartite relationship between the Certification Officer, DEL and the Agency.

CEO

6.3 Update on Stakeholder Meetings

(a) Roundtable

The Chair updated the Board on the most recent meeting on 30 June 2015 when the Roundtable agreed the following actions:

- receive presentations on the Agency's Early Conciliation model and the Tribunal Service's Case Review/Early Neutral Evaluation pilot;
- invite the DEL permanent Secretary to a future meeting to discuss priorities post 2016 Elections and to discuss the proposal to develop a NI Employment Relations Strategy;
- invite the Employee Relations Institute to deliver a presentation on the work of the Institute to NI key stakeholders;
- take time out for a facilitated discussion to establish terms of reference, shared agenda and programme of work.

Chair/CEO

(b) Other stakeholder meetings

The Chair and CEO updated the Board on meetings with stakeholders over the summer period. The CEO advised that the joint meeting with the Equality Commission is being planned for February 2016.

CEO

The Chair briefed the Board on the recent meeting with DEL officials. The Minister is considering the appropriateness of using the reserve list from the previous competition to fill the two upcoming Board vacancies. The Chair and the CEO to have early meetings with the Minister and Permanent Secretary.

Chair/CEO

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7. Chief Executive's Business	
7.1 Budget Performance to end July 2015 The DCS presented a paper providing an analysis of current expenditure against forecasted spend. The DCS advised that some of the salaries underspend will reduce when the current ERM vacancy is filled. The CEO referred to a very positive procurement value for money report prepared by the DCS which provides an excellent basis for understanding how the Agency manages its procurement business. The report to be tabled for discussion at the September Board meeting.	CEO
The Board understand that any substantive budget cuts can only be achieved by reducing our staff headcount but asked that it is communicated to the Department that any cuts will result in an actual reduction in frontline services. The CEO assured the Board that this message has already been conveyed to DEL but that the Chair and CEO will reiterate this message at any meetings with the Minister. The Board discussed the possibility of charging for Agency services and the impact this may have.	DCS/Sec
7.2 Stakeholder Strategy (Paper 23/15) The CEO presented a paper reviewing the Agency's existing stakeholder engagement strategy paper highlighting the range of business objectives that can only be achieved through engagement with stakeholders. The Board emphasised the need for the Agency to engage with the voluntary sector and SMEs and to build on the positive relationships that already exist with these sectors.	
Following discussion the Board agreed the recommendation to bring a formal engagement strategy to the September meeting.	CEO
7.3 2015-2016 Business Plan – Performance Report – 1 April 2015-31 July 2015 (Paper 24/15) The CEO explained the revised format of the performance report and then highlighted current performance against the key targets, focusing particularly where there is a moderate risk of a target not being met. The CEO reported that at this stage there are no aspects of the business plan where there is a significant risk of a target not being met except where achievement is dependent on the successful introduction of an Employment Bill.	
Board members indicated that they were generally content with the revised format but asked for more detailed commentary/action plans for the more substantive targets.	CEO/SMT
7.4 Employment Law Update The Board noted the contents of the table.	
8. Tribunal Rules Consultation (Paper 25/15)	
The Board considered a paper recommending how the Agency should respond to the consultation. In advance of responding to the consultation the CEO and DCA will meet with DEL policy leads. A draft response will then be prepared for approval at the September Board meeting.	CEO/DCA

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9.	Any Other Business	
None.		
10.	Date of Next Meeting	
	meeting of the Agency Board will take place on Thursday, 24 ber 2015 at 10.00 am in Room 5, Gordon Street.	Secretariat

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