

**MINUTES OF THE THREE HUNDRED AND FORTY FIRST MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 9.30 AM  
ON THURSDAY, 18 DECEMBER 2008  
IN LOCAL GOVERNMENT STAFF COMMISSION OFFICES, GORDON STREET,  
BELFAST**

**Present:** Jim McCusker (Chair)  
Patricia O'Farrell  
Peter Williamson  
Brenda Maitland  
Julie Anne Clarke  
Norma Heaton  
Rodan Ward  
Trevor Morrow  
Neal Willis

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

The Chairman welcomed two new Board Members to the meeting, Neal Willis and Trevor Morrow, and said that he looked forward to their contribution to the Board.

**Action**

**1. Apologies**

An apology was received from new Board Member Lyn Fawcett.

**2. Minutes of Previous Meeting held on 27 November 2008**

The minutes of the meeting held on 27 November 2008 were proposed by Julie Anne Clarke, seconded by Norma Heaton, and agreed as a true and accurate record of the meeting.

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

Nothing was raised.

**4. Chairman's Business**

**4.1 Appointment to Industrial Court**

It was noted that the Chairman had written to the Department on

1 December 2008. He had indicated that the LRA Board had expressed a clear preference for the existing statutory provisions to be replaced with regulations which would provide for consultation with the Agency on the recruitment arrangements, selection criteria, etc for appointments. It was noted that no response has been received.

#### **4.2 *Board Sub-Committee Cycle of Dates 2009***

All the proposed dates for 2009 were agreed by the Board. It was also agreed that Sub-Committee dates can be amended by the members of those committees if necessary.

#### **4.3 *Appointments to Audit and Finance & Personnel Sub-Committees***

It was noted that Neal Willis had agreed to serve on the Finance & Personnel Sub-Committee and Lyn Fawcett on the Audit Sub-Committee.

#### **4.4 *Research Sub-Committee***

It was agreed that the Research Sub-Committee should be re-constituted. Norma Heaton and Trevor Morrow agreed to serve on the committee and Brenda Maitland agreed to cover if either was not available.

#### **4.5 *Finance & Personnel Sub-Committee meeting on 10 December 2008***

The Chairman gave a report of the meeting. It had been noted at the meeting that the Agency is expected to break even at the end of the current financial year, and the Department has confirmed that the budget has been increased from £3.2m to £3.5m for next year. It was agreed that until the financial implications of the IS/IT strategy are known it is impossible to predict the impact on the budget.

The Committee noted that the Chairman had written to the Department regarding CSR and the Agency's resource needs. He had said that it would be helpful if the Department could supply more information on how the Agency can feed into CSR and also give details of the critical deadlines, if CSR is brought forward to 2009. No response has yet been received. The Committee noted that at the DEL Quarterly Meeting on 16 December, attended by the CEO and DCS, the Department did not anticipate bringing forward CSR to 2009.

The Committee discussed the Equal Pay Audit of the Agency, and it was noted that this is still at the planning stage with NISRA.

The Committee noted that since the Agency was awarded IiP status, an assessment report has been received which incorporates

recommendations which the Agency will be taking forward. The Committee agreed that the report will be brought before the Board for discussion at its next meeting on 29 January 2009. The Committee had also agreed that the F&P Committee will decide whether the item on IiP will continue to be included on its agenda.

CEO

It was noted by the Committee that the renting of Unit 1 had been approved by DEL and that a lease is currently being discussed with the landlord.

#### **4.6 Conference Attendances 2009**

It was agreed that Brenda Maitland would attend the TUC Conference in September in Liverpool and Trevor Morrow agreed to attend the CIPD Conference in November to be held in Manchester.

It was noted that there is no more information available at present on local employers' conferences.

CEO

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

#### **5.1 Review of Dispute Resolution in NI**

It was noted that there had been a further meeting of the DEL Dispute Resolution steering group on 16 December. The Department has developed a series of questions which will form the substance of the formal consultation. It is anticipated that the formal consultation document will be issued in February. It was noted that the consultation period may now be February/March or March/April 2009.

This subject would be further discussed at item 6.

#### **5.2 RPA**

It was noted that the DCA has had official discussions on the proposals of the Personnel Group and the TU Group on ADR arrangements for RPA.

The Board discussed possible impact on Agency resources arising from the following:

- Arbitration arrangements and use of arbitrators in terms of normal grievance process and pension related concerns.
- Equality issues – transferring civil servants into local government and Civil Service pension scheme.
- Need CPG confirmation; there is urgency to get procedures in place.
- Establishment of the Educational Skills Authority (ESA)
- The impact of shared service centres

### **5.3 *IiP***

With regard to the assessment report referred to above, it was noted that a continuous improvement quality plan is being produced which will be submitted to the January Board Meeting. It was noted that the CEO will be giving a presentation on the report to staff at both the Belfast office and Regional office on 13 and 16 January respectively.

**CEO**

It was noted that the SMT is to consider broader models of quality management (such as the extended IiP scheme under development or the European Foundation Quality Model, EFQM).

**CEO**

It was agreed that Board Members would be invited to the planned celebration for the IiP Award to signal their support and thanks to staff.

**CEO**

### **5.4 *Equal Pay Audit***

It was noted that there has been a meeting with representatives from NI Statistics Research Agency who are dealing with equal pay audits for the NICS. NISRA are concerned that the small staff numbers in the Agency will militate against the identification of useful conclusions. They will document their position in a project initiation document to be issued in January 2009. A view was expressed at the Board that in the longer term, an audit based on good practice (as well as statistical significance) might be beneficial. Management indicated that it would attempt to identify other experts in this field.

**CEO**

### **5.5 *Monthly Management Report***

#### ***Chief Executive***

The CEO reported on an invitation received from the DEL Committee which had been issued to representatives from Public Bodies. He and the DCS and DAS had a short informal meeting in the Long Gallery at Stormont with two members of the DEL Committee on 3 December. They had discussed Agency resources, the budget submission, conciliation and the DEL Review. The meeting had been positive and the members of SMT agreed that they had been well received by the Committee, and it had been an excellent opportunity for the Agency.

It was noted that there had been a further invitation to the Agency from the DEL Committee to a meeting on 14 January at 10.30 am in Stranmillis College. This meeting will discuss the Department review of dispute resolution. Members agreed that four representatives from the Agency would attend - Chairman, CEO, Roden Ward and Julie Anne Clarke. The CEO will prepare a draft briefing paper which has to be submitted to the DEL Committee by 5 January. It was agreed to have a pre-meeting in the Agency in early January.

**CEO**

The CEO had also attended a Conference in London on Aiming for

Excellence in Mediation, Investigation and Dispute Resolution at work. He was impressed by the broadness in approach which some organisations took to mediation, e.g. including marital as well as employment related.

***DAS***

The DAS advised the Board of increased demand on the Enquiry Line as a result of the economic downturn. It was also noted that other organisations, eg CAB, were becoming more active in offering employment advice and information. The Chairman agreed to follow up on his 17 November letter the Department on resource pressures arising from the economic downturn.

**Chairman**

There was some discussion on the rise in redundancies in all sectors of employment. The need was discussed of improving the understanding of employers with regard to their obligations and responsibilities.

***DCA***

The DCA agreed that there is an ongoing and increasing number of problems caused by redundancies and the Agency has a duty to respond to these.

The Chairman stressed that the Board is aware of the current pressures on staff and the extra volume of work that the downturn has generated. He assured the management team that staff have the Board's support for the extra demands being made on them, and their appreciation for the ways that they are coping in the current circumstances.

***DCS***

***IS/IT***

DCS reported that he and the Chief Executive had met with Stephen Jackson, Head of ICT and Innovation at DEL to discuss the broad thrust of the Strategy and how management might address its implementation. It was agreed that a presentation of the strategy would be made at the January Board.

**CEO**

It was noted that the F&P Committee had suggested that a paper on the strategy should be prepared for discussion at the January Board Meeting.

**CEO**

***International Reporting Standards***

The DCS indicated that he would be determining the impact on workload arising from the transition to International Financial Reporting Standards through completion of the National Audit Office Readiness Toolkit. He indicated that his conclusions would need to be circulated to a wide range of parties for comment which included the auditors and the DEL Head of Finance. He also had a responsibility to ensure that

**DCS**

the Chair of the Audit Committee was fully briefed.

***Freedom Of Information: New Publication Scheme***

From 1 January 2009, the Agency will have a new Publication Scheme prescribed by the Information Commissioner, which will require policies/procedures and information driving Board decision-making to be published. This may have an impact on the style/content of Board minutes and certain of the supporting briefing papers.

**6. Review of Dispute Resolution in NI**

CEO introduced a paper which gave an overview of the DEL consultation exercise on NI Dispute Resolution. This led to a discussion on the process and development of a consensus position on the part of the Agency's Board. The three options contained in the paper were discussed. Certain strengths and weaknesses of the paper were noted as follows:

- The decision to amalgamate two of the options which limited Board consideration of all options;
- Use of the Pyramid model to highlight differences – seen as a strength;
- The need for the SMT to develop the voluntary option in more detail;
- The need to further develop the pros and cons of EAT.

Chairman thanked the CEO and SMT for producing the document which was helpful in clarifying the matter.

Peter Williamson agreed to write a paper which developed his views on the Rights Commissioner's approach to dispute resolution.

**PW**

Eileen McBride to be asked to supply edited version of the statistics and other references she brought to the Board Meeting on 27 November.

**CEO**

It was noted that the Board had agreed to have an Away Day in the New Year after the formal consultation document is issued by the Department, in order to discuss the options further and to determine the Agency response and the way forward.

**CEO**

**7. Corporate Correspondence Received Relevant to Board**

None received.

**8. Any Other Business**

**8.1 Public Relations**

Copies of an article on International Comparisons in Workplace Conflict by the CEO, which appeared in the December edition of First

Trust Bank Economic Outlook and Business Review, were circulated to members.

**9. Date of Next Meeting**

The next meeting of the Board will be held on Thursday, 29 January 2009, beginning at 10.00 am in Room 1.

The Board Meeting was followed by the Board/Staff Christmas lunch.