

**MINUTES OF THE 442nd MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD
AT 9.30 am ON THURSDAY, 20th DECEMBER 2018
IN THE AGENCY'S OFFICES 2-16 GORDON STREET, BELFAST**

Present: Marie Mallon (Chair)
Deirdre Fitzpatrick
Alison Millar
Michelle McGinley
Gary McMichael
Daire Murphy

In Attendance: Tom Evans Chief Executive, (CEO)
David McGrath (Director, Employment Relations Services (DERS))
Don Leeson (Director, Corporate Services (DCS))
Mark McAllister
Fionn Davey (for Item 13)
Dessie Woods (for item 13)

	<i>Action</i>
<p>1. Apologies</p> <p>Apologies were received from Louise Crilly, Albert Mills, Jill Minne and Pauline Shepherd.</p>	
<p>2. Conflicts of Interest</p> <p>There were no conflicts of interest declared.</p>	
<p>3. Chair's Opening Remarks</p> <p>The Chair indicated that she would not be available for the planned January Board meeting and it was agreed to seek an alternative date in the w/c 21 January 2019.</p> <p>The Board reflected on the very positive engagement with Noel Lavery at the November Board meeting.</p> <p>The Chair then highlighted the key matters for discussion including a presentation by Mark McAllister on employment law developments and a meeting with office holders from the local NIPSA branch.</p>	Secretary
<p>4. Minutes of 22 November 2018 Board Meeting (Paper BP01-12/18)</p> <p>The minutes of the meeting held on 27 September 2018 were agreed as a true and accurate record of the meeting.</p>	Secretary
<p>5. Matters arising from the Minutes of 27 September 2018 Board meeting (Paper BP02-12/18)</p> <p>The DCS introduced the Board Actions Progress Report, highlighting the following matters:</p>	

<p>5.1 Health and Wellbeing The draft Health and Wellbeing Strategy has been considered by the Finance and Personnel Committee and JNCC, and is now subject to staff consultation. The Board and Senior Management acknowledged Gary McMichael's important contribution in his role as the Board Mental Health Champion.</p> <p>5.2 Absence Management Policy The new policy was formally agreed at the JNCC meeting on 13 December and will come into effect from January 2019. A programme of training for staff and line managers is now being rolled out.</p> <p>5.3 liP The outcome from the recent assessment against the new standard is that the Agency will achieve the silver standard but will retain its gold status for 12 months to allow time to put in place the necessary remedial actions. An action plan is now being developed.</p> <p>5.4 Web Chat The feedback from the recent pilot is that web chat is not suitable for many of the more complex queries handled by our Enquiry Point. The use of web chat will now be refocused on more simple requests for information.</p>	<p>DCS</p> <p>DCS</p> <p>DCS</p> <p>DERS/DCS</p>
<p>6. Chief Executive's Update</p> <p>The CEO highlighted the following issues:</p> <ul style="list-style-type: none"> • Following DfE's offer of funding for a research project a proposal based on Strategic Theme 2 priorities has been developed. Awaiting advice on the extent of the approval process; • CEO meeting with the Director of Corporate Governance at DfE; • DfE approval for flexibility in the use of 2018/19 EC funding remains outstanding; • EC Project Board agreed 1/10/2019 as the planning assumption for introduction of EC; • Bid made for two additional Enquiry Point staff to deal with additional queries arising from Brexit, CEO to attend a DfE No Deal planning event; • Leadership Development Programme to be made available to all staff; • Regional Office staff recent visit to Richmond Chambers quite positive; • DfC employment relations pilot meeting scheduled for early February; • A complaint about the handling of an Independent Appeals hearing received and being investigated; • Recent case law may require a review of the employment status of the Agency's Arbitrators. <p>The Board noted the action points update paper.</p>	<p>CEO</p> <p>DCS</p> <p>DERS</p> <p>DCS</p>
<p>7. Business Plan Performance Report (Paper BP03-12/18)</p> <p>The following matters were reported:</p> <ul style="list-style-type: none"> ✚ The new programme of workshops/seminars launched; ✚ Recent visit by Acas staff to share learning on their new Mental Health in the Workplace programme very positive, will be adapted for NI delivery; ✚ Substantial increase in conciliation cases relating to overtime/holiday pay issues; 	<p>DERS</p>

<p>✚ Proposals to be developed for consultation with TUS to offer greater flexibility/capacity in the use of resources to respond to spikes in demand for specific services.</p> <p>The Board noted the content of the performance report.</p>	<p>CEO</p>
<p>8. Management Accounts (Paper BP04-12/18)</p> <p>The DCS introduced the Management Accounts for the period ending 30 November 2018. The DCS confirmed that we are on track to achieve end year expenditure target.</p> <p>The Board, in noting the management Accounts, acknowledged that provision may need to be made in the accounts for liabilities that accrue as a result of the Regional Office relocation.</p>	<p>DCS</p>
<p>9. Report from Chair of ARAC (Paper BP05-12/18)</p> <p>The Board noted the content of the Chair of ARAC's tabled report including the outcomes from the recent audits of the Agency Financial (satisfactory) and ICT (limited) controls. The Chair of ARAC confirmed that many of the ICT recommendations had already been implemented.</p> <p>The ARAC Chair thanked the Committee members and staff for their work throughout 2018. The Chair of the Board thanked ARAC for their ongoing commitment.</p>	
<p>10. Report from the Chair of Finance and Personnel Committee</p> <p>The Board noted the content of the Chair of Finance and Personnel's tabled report. Concerns were raised about the levels of staff absence resulting primarily from a number of long terms absences. The practice of presenting the HR dashboard to the Board to be reinstated.</p> <p>The Board were advised that the Finance and Personnel Committee had reviewed and accepted the CEO's appraisal.</p>	<p>DCS</p>
<p>11. Stakeholder Meetings</p> <p>The Chair and CEO provided an update on the Roundtable. Concerns were raised about attendance levels, the Chair agreed to raise at the next meeting of the Roundtable sub group on 9 January.</p> <p>The Chair provided feedback on the Chairs/Chief Executives' Forum leadership conference.</p> <p>The Chair also provided feedback on recent meetings with the Comptroller and Auditor General and Permanent Secretaries to discuss governance and accountability issues from an ALB perspective.</p>	<p>Chair</p>
<p>12. Employment Law Update</p> <p>Mark McAllister gave a presentation on significant employment law developments in the past year. There are now around 30 differences between GB and NI; the Board asked for a paper setting out the implications for the work of the Agency.</p>	

<p>The CEO agreed to raise with DfE at the next accountability meeting.</p> <p>The Board agreed that this presentation should be part of the Board members' development. Mark's slides to be copied to Board members.</p>	<p>CEO</p> <p>Secretary</p>
<p>13. Meeting with NIPSA Branch Office-Holders</p> <p>The Branch offered the following comments:</p> <ul style="list-style-type: none"> ✚ Engagement on the Transformation proposals very positive; ✚ Ten of the thirteen proposals implemented, the others being progressed; ✚ The Transformation process could be written up as a case study; ✚ TUS have concerns about loading of posts and any proposals regarding the future deployment of staff at the ERO grade, Management proposals are awaited; ✚ TUS believe the Agency has no capacity to take on additional work based on the current staff complement; ✚ Agreement of new absence management policy an example of constructive dialogue. <p>The Chair thanked TUS for their input and ongoing support during a year of significant change.</p>	<p>CEO</p>
<p>14. Any Other Business</p> <p>The Chair thanked all Board members for their support and work throughout the year, and invited Board members to join with staff for the annual Celebrating Success event.</p>	
<p>15. Date of Next Meeting</p> <p>The next meeting of the Agency Board to be rearranged for the w/c 21 January 2019 at 10.00 am in the Agency's offices, 2-16 Gordon Street, Belfast.</p>	<p>Secretary</p>