

**MINUTES OF THE THREE HUNDRED AND SIXTY FOURTH MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 am  
ON THURSDAY, 24 FEBRUARY 2011  
IN THE AGENCY'S OFFICES, 2-12 GORDON STREET, BELFAST**

**Present:** Jim McCusker (Chair)  
Peter Williamson  
Lyn Fawcett  
Gordon Parkes  
Trevor Morrow  
Neal Willis  
Brenda Maitland

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

**1. Apologies Action**

There were apologies from Sally McKee and David McGrath.

**2. Minutes of Previous Meeting held on 27 January 2011**

The minutes of the meeting held on 27 January 2011 were proposed by Trevor Morrow, 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**

**2. Meeting with Minister for Employment & Learning**

The Chairman was of the understanding that the Minister had been impressed with the work of the Agency following his meeting with the Board and Staff on 27 January. The Minister had been constructive and positive in relation to the Agency despite the difficult economic climate referred to.

**5.1 Research Committee – Meeting held 18 November 2010**

It was noted that Karl Leatham had met with staff regarding the SROI scoping study. The scoping study report was expected during March.

**6.1 LRA Code of Practice on Disciplinary & Grievance Procedures**

It was noted that the draft Code had been reviewed by DEL and had been laid before the Assembly 18 February. It is expected that DEL will bring forward legislation to effect the Code from 3 April.

## **6.2 Presentation on DEL Project**

The CEO reported that Tom Evans DEL had agreed to consider the wider promotion of the project as an example of good practice. The CEO would be following this up.

**CEO**

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

### **4.1 Declarations of Board Member Interests**

No interests were declared by members.

### **4.2 Board Vacancy – update**

It was noted that the CEO had informed DEL of the Board's concern about the lack of progress regarding Board vacancies. DEL had recently indicated that the vacancies would be advertised in mid-late March with a view to appointments by July.

### **4.3 Board Performance Appraisals**

It was noted that Board Performance Appraisals are now completed.

### **4.4 DEL Draft Budget 2011-15**

It was noted that the Chairman had written to Trevor Connolly, Finance Director at DEL on 7 February expressing the Board's concern about the disproportionate cut in the Agency's budget. No formal response has been received as yet.

Following extensive discussion it was agreed that the Chairman write to Alan Shannon DEL Permanent Secretary expressing the Board's concern about the potential disproportionate cuts to the Agency budget 2011-15 in comparison with other Non-departmental public bodies, setting out the additional work that the Agency is expected to undertake and seeking a meeting with the Permanent Secretary to discuss the extent of the potential cuts.

**Chairman**

### **4.5 Regional Office Board Meeting**

It was agreed that the next meeting of the Agency Board, scheduled for 24 March, would be held in the LRA's Regional Office.

**Secretariat**

### **4.6 Agency Public Lecture 2011**

After discussion on possible speakers for this event the following names were proposed:

- Declan Curry, BBC
- Bob Mason/ Mark Stuart, CIPD
- Representative from an employer organisation

Members were asked to forward any further suggestions to the Chief Executive.

**Board  
Members**

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

The Chairman reported on a lunchtime event he had attended entitled “*Re-Balancing the NI Economy*” when Nigel Smyth, CBI had been the speaker.

The Chairman/CEO and DCA had attended a Symposium – “*Building Better Employment Relations*” which was held in Croke Park in Dublin. The event had been promoted by the Labour Relations Commission as part of its Good Practice in Employment Relations agenda.

It was noted that joint training for Board members in governance issues is being pursued by the DCS. The DCS has contacted Roger Bradley of CEF and is proposing to set up a workshop in the near future.

**DCS**

#### **4.8 Appointments to the Industrial Court**

Copies of proposals for appointments to the Industrial Court have been issued by the Department. It was noted that the Agency will be consulted on the arrangements for Court appointments.

Board members discussed the selection criteria for prospective candidates and expressed the hope that it will attract people with sound practical experience of Industrial Relations. The Chairman is to reply to the documentation on this basis. The Chairman is also to reflect the view of the Board that the remuneration for members of the Court should be equal to that of members of the Industrial and Fair Employment Tribunals.

**Chairman**

It was noted that the Chairman and CEO had met with Barry Fitzpatrick and Alan Scott from the Industrial Court on 14 February. It had been agreed that a Memorandum of Understanding would be drawn up between the Agency and the Industrial Court.

It was further noted that meetings would be held between the Agency and the Industrial Court to further the development of a Memorandum of Understanding between the two organisations.

**CEO/DCA**

### **5. Finance & Personnel Committee Meeting**

#### **5.1 Minutes of the meeting held on 30 September 2010**

The minutes were ratified by the Board.

#### **5.2 Meeting held on 4 February 2011**

The Chairman gave a verbal report on the meeting.

It was noted that the supplier payments picture has improved compared to last year. Over 90% of suppliers are paid inside the 30 days.

The total absence figure has been gradually rising over the period from a low figure to above the target figure of 4.5%. It was particularly noted that short term absence has been rising. A pilot absence procedure is under review.

**DCS**

*Unit costing* – It was noted that the DCS will be submitting preliminary figures for the Board. **DCS**

*Vacancies* – It was noted that the involvement of Board members set out in the recruitment and selection procedure was being considered at the JNCC. **CEO/Dirs**

*Shared services* - It was agreed that the SMT would report on the scope of the use of shared services and whether the sharing of services would provide value for money. **CEO**

*Equal Pay Audit* - Members expressed grave concern at the delay in the approval of the 2009 pay settlement. The CEO is to contact DEL to stress the importance of urgent implementation. **DCS**

*iP health check* – Re-accreditation is to be applied for in April 2012. **DCS**

*Accommodation* - The ‘knock-throughs’ between each unit of the building are almost complete, although there have been some unforeseen problems with disability access.

*IS/IT* - the security accreditation project is on course.

*ICMS* - the upgrade of the ICMS system, which is now critical, was discussed. Members had indicated that this matter was to be treated as urgent. **CEO/DCA/  
DCS**

However, there have been some developments since the F&P Meeting. The DCS gave details of the potential to adopt and adapt the current pilot ACAS ICMS system. It was agreed that the ACAS option was explored as quickly as possible.

## **6. Chief Executive’s Business**

### ***6.1 Consultation on the Implementation of the Agency Workers Directive in NI***

The DEL consultation proposals were discussed. Concern was expressed that the Department had not approached the LRA prior to issuing the consultation papers in respect of questions relating to alternative dispute resolution.

Following extensive discussion it was agreed to respond to Q7, Q37 and Q38. **CEO**

Q7 and Q38. Both draft responses were agreed in principle. The CEO, in response, is to consider simplifying the language.

Q37. It was agreed to emphasise the need for clear and straightforward information and guidance documentation with a view to making the approach to the legislation as simple as possible.

### ***6.2 Corporate Plan 2011-14***

Members discussed the final draft of the Corporate Plan and after agreeing

some minor amendments, it was agreed that the CEO would forward the final draft to the Department for approval. **CEO**

### **6.3 Business Plan 2011-12**

Presentational changes to the final draft plan were agreed plus minor adjustments to the text. It was agreed that the CEO submit the final draft plan to DEL. **CEO**

### **6.4 Recruitment of new members for Arbitrator Panel**

Board Members discussed the short-listing criteria page 7.

It was agreed to (1) replace 'either as' with 'most likely gained through' (2) insert at Essential Experience (b) a reference to employment relations experience following 'representative of workers' and (3) reword Essential Experience (d) to 'a recognised expert in employment relations'.

It was agreed that the short listing criteria should also be amended in order of application as follows:

1. Essential Criteria
2. Competencies
3. Desirable Criteria

Subject to the above the documentation was agreed. The CEO is to progress the appointment process. **CEO**

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

#### **(i) Employment Bill**

It was noted that the Assembly legislative process is on target for implementation on 3 April 2011.

#### **(ii) DEL Advisory Group**

It was noted that the DEL Advisory Group will have its second meeting on 10 March. The terms of reference for the Group have yet to be determined.

#### **(iii) Others Matters**

There were no other matters at present.

### **6.6 Bi-Monthly Management Report**

After discussion, the Bi-Monthly report was accepted, subject to some agreed amendments. **CEO**

### **6.7 DEL ALB Review**

It was noted that the ALB Review will probably be incorporated with proposals for the wider review of public sector institutions. It was noted that publication of the ALB Review is still awaited.

## **6.8 RPA**

Nothing to report.

## **6.9 Equal Pay**

The Board endorsed the view and action set out at Para 5.2 above under 'Equal Pay Audit'.

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

### **7.1 CIPFA training bulletin – March 2011**

It was noted that if members are interested in any of the training available they should contact the Secretariat.

**Board  
Members**

## **8. Any Other Business**

There was no other business reported.

## **9. Date of Next Meeting**

It was agreed that the next meeting of the Board will be held in the Regional Offices in Derry on Thursday, 24 March 2011 at 10.00 am.

The Board meeting will be followed by a Finance & Personnel Committee meeting.