

**MINUTES OF THE 394th MEETING OF THE LABOUR RELATIONS AGENCY
BOARD HELD AT 10.00 am ON THURSDAY, 27 FEBRUARY 2014
IN THE TALBOT ROOM, MIDTOWN BUSINESS CENTRE, TALBOT STEET,
BELFAST**

Present: Jim McCusker (Chair)
Albert Mills
Sally McKee
Gordon Parkes
Neal Willis
Pauline Shepherd
Alison Millar
Gary McMichael

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>
1. Apologies		
Apologies were received from Trevor Morrow and Lyn Fawcett.		
2. Minutes of Previous Meeting held on 30 January 2014		
It was agreed to indicate in the January minutes that Lisa King and Aiden Fitzpatrick (ECNI) left the meeting following their presentation to the Board.		Secretariat
Subject to the above addition the minutes of the meeting held on 30 January 2014 were proposed by Gordon Parkes, seconded by Pauline Shepherd and agreed as a true and accurate record of the meeting.		
3. Matters Arising from the Previous Minutes not listed on this Agenda		
<i>Equality Responsibilities – ECNI presentation</i>		CEO/DCS
Board members noted that the Corporate Plan 2014-17 now included, at Para: 1.1.3, a reference to an annual review, to be undertaken each July, regarding progress on the Equality Scheme. Progress will be reported to the Board on an annual basis following the July review.		
6.2 Letter dated 23 January 2014 from the Information Commissioner re complaint against the Agency		DCS
It was noted that the Agency had replied to the Information Commissioner’s letter and awaits a response.		

<p>4. Chairman's Business</p> <p>4.1 Declarations of Interests</p> <p>No interests were declared by members.</p>	
<p>4.2 Board Member Training</p> <p>There was no Board member training to report.</p>	
<p>4.3 Update on Stakeholder Meetings</p> <p>The Chairman reported that the Roundtable had met on 17 February and discussed the following:</p> <ul style="list-style-type: none"> • The proposal of a Joint Declaration of Protection between employers and trade unions supplemented by a model workplace document. • Protected conversations – the Roundtable was of the view that the GB scheme was problematic. The GB Scheme posed difficult practical problems. The Agency is to provide further guidance to the Roundtable. • Resources for the Roundtable – The Chairman and CEO will be meeting with DEL representatives on 4 March to discuss resourcing relating to the future work programme of the Roundtable. 	<p>CEO</p> <p>Chair/CEO</p>
<p>4.4 Management Statement/Financial Memorandum</p> <p>Regarding the Chairman's letter of 8 January the Agency awaits a reply from DEL. It was agreed that the Chairman send a reminder to DEL.</p>	<p>Chair</p>
<p>4.5 Chair of Agency</p> <p>The Chairman advised members that he had conveyed verbally to DEL the Board's concerns regarding the time commitment and criteria for the appointment of a Chair of the Agency. No response had been received to date however a selection panel had been appointed. Applications are to be invited in April with interviews taking place in June.</p>	<p>Chairman</p>
<p>4.6 International Agencies Meeting 2014</p> <p>The Chairman reported that the International Agencies meeting 2014 will be held w/c 6 October in New Zealand. It was agreed that members give some thought to Agency representation at the meeting. It was agreed to discuss this item at the March Board meeting.</p>	<p>Board/ Secretariat</p>

<p>5. Chief Executive’s Business</p> <p>5.1 Corporate Plan 2014-17 and consultation responses received (Paper 1/14 [revised])</p> <p>A revised Corporate Plan, reflecting comments made by members at the January meeting, was submitted for approval.</p> <p>Following discussion it was agreed that the CEO inform NIPSA Branch 28 and staff generally of the Board’s appreciation of the contribution that staff make to the work of the Agency. Members also agreed that the CEO informs staff of the high regard in which they are held by the Board.</p> <p>After discussion it was agreed to amend bullet points 8 and 9 in Para: 1.1.2 revised as follows:</p> <ul style="list-style-type: none"> • value diversity and opinions • respect, consult, involve and develop staff <p>It was also agreed that the CEO consult with TUS on the above changes.</p> <p>It was agreed to amend the Business Impact of Strategic Objective 4 to read as follows:</p> <p style="padding-left: 40px;">‘The Agency will determine the feasibility of establishing an agreed public sector support programme 2015-17 by 31 December 2014.’</p> <p>Subject to the above the draft Corporate Plan 2014-17 was adopted for submission to DEL for approval.</p>	<p>CEO</p> <p>CEO</p> <p>CEO</p> <p>CEO</p>
<p>5.2 Business Plan 2014-15 (Paper 2/14 [revised])</p> <p>A revised Business Plan, reflecting comments made by members at the January meeting, was submitted for approval.</p> <p>The following amendments were agreed:</p> <ul style="list-style-type: none"> • The Business Impact of Strategic Objective 4 is to be amended as per Para: 5.1 above: • Page 12, first paragraph, final sentence – it was agreed to end the sentence at ‘2014-15 financial year.’ <p>Subject to the above the draft Business Plan 2014-15 was adopted for submission to DEL for approval.</p>	<p>CEO</p>
<p>5.3 BIS Consultation on Zero Hour Contracts (Paper 4/14)</p> <p>Board members endorsed the Agency response to the BIS Consultation on Zero Hours Contracts as set out in the paper.</p>	<p>CEO</p>

<p>5.4 Review of Promotion of the Generic Statutory Arbitration Scheme (Presentation) (Paper 5/14)</p> <p>Avril Alexander, Arbitration Secretary, joined the meeting at this point.</p> <p>The DCA, supported by Avril Alexander, provided a presentation and took questions on the operation of the Generic Statutory Arbitration Scheme.</p> <p>Members noted the overall success of the current scheme.</p> <p>Members welcomed the private sector uptake. Following discussion it was agreed that the SMT consider an approach to public sector organisations to identify any barriers that are frustrating the use of the Scheme. It was the view of the Board that public sector organisations should be encouraged to use the Scheme.</p> <p>It was noted that DEL will be reviewing the operation of the Scheme during 2014. It was agreed that the CEO write to DEL highlighting that the Agency would require additional funding to promote arbitration and ADR generally.</p> <p>The Chairman expressed appreciation, on behalf of the Board, to the DCA and her team for an encouraging report. He wished them well and hoped that early intervention would lead to greater uptake of the scheme, indicating that the Board would do whatever it could to encourage this.</p> <p>Avril Alexander left the meeting at this point.</p>	<p>SMT</p> <p>CEO</p>
<p>5.5 Employment Law Update</p> <p>It was noted that the Agency had yet to receive a reply from DEL to its request that the Agency should have a provision similar to that provided for ACAS by the GB Enterprise and Regulatory Reform Act 2013 prohibiting the disclosure of information acquired in the performance of its functions. It was agreed that the Agency should highlight to DEL the need for resources to facilitate early conciliation/neutral assessment.</p> <p>The Board noted the contents of the table.</p>	<p>CEO</p>
<p>5.6 Bi-Monthly Management Report April 2013-January 2014 (Paper 6/14)</p> <p>It was noted that the Agency intends to hold a Staff Conference on 17 September 2014.</p> <p>The SMT will be discussing SROI at their meeting next week.</p> <p>It was noted that a draft HSE report on the recent staff Stress Risk Assessment had been received by the Agency. SMT comments have been forwarded to HSE. The Agency awaits a response. An action plan, deriving from the final draft HSE report is to be drawn up and taken forward through the JNCC.</p>	<p>DCS</p> <p>SMT</p> <p>CEO/DCS</p>

<p>The CEO expressed concerns regarding the 2014-15 base-line budget position. It was noted that the CEO would be raising the budget position for 2014/15 with DEL.</p> <p>Appreciation was expressed to the DCS and Finance staff for their work in managing the budget 2013-14 to virtually an estimated break-even point.</p> <p>Page 22(e) under ‘Performance to date’, final sentence – amend ‘rising’ to ‘levelling’.</p> <p>The bi-monthly report for the period was ratified by the Board.</p>	<p style="text-align: center;">CEO</p> <p style="text-align: center;">Secretariat</p>
<p>6. Corporate Correspondence Received Relevant to Board</p> <p>None.</p>	
<p>7. Any Other Business</p> <p>There was no other business to discuss.</p>	
<p>8. Date of Next Meeting</p> <p>The next Board meeting will be held on Thursday, 27 March 2014 at 10.00 am – venue to be confirmed - and will be followed by a meeting of the Audit Sub-Committee at 2.00 pm.</p>	<p style="text-align: center;">Secretariat</p>