

MINUTES OF THE THREE HUNDRED AND FORTY FOURTH MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 AM  
ON THURSDAY, 26 MARCH 2009  
IN THE AGENCY'S OFFICES, 2-8 GORDON STREET, BELFAST

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

**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)

**1. Apologies Action**

No apologies were received.

**2. Minutes of Previous Meeting held on 27 February 2009**

**5.7 Monthly Management Report**

Last paragraph – It was agreed that this should be changed to read –  
*“It was noted that in absence of an existing contract, and on an  
exceptional basis, the Agency’s previous PR support company has been  
commissioned to develop an action plan and documentation in relation  
to promotion of the Agency Helpline.”*

**Secretary**

The minutes of the meeting held on 27 February 2009 were then proposed by Brenda Maitland, seconded by Neal Willis, and agreed as a true and accurate record of the meeting, subject to the above amendment.

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

There were no matters arising.

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

### **4.1 Agency Resources**

The Chairman referred to a letter he had received from Aideen McGinley on 11 March. This letter confirmed that DEL has increased the LRA baseline budget for 2009/10 by £200k to £3.695m, and for 2010/11 by a further £100k to £3.795m.

It was agreed that the extra money is very welcome. It was noted that the CEO and DCS will be looking at the allocation of the additional funding. Consideration will be given to allocating most of the additional funds to staffing, due to the pressure on Agency staff arising from the economic downturn, and for longer term strategic work.

**CEO/SMT**

### **4.2 Meeting of Research Group on 5 March 2009**

The Chairman reported on the meeting of the Research Group.

It was noted that research into the economic impact of the Agency services, beginning with the Helpline will go ahead. The effectiveness of mediation in PSNI would also be progressed. It was noted that unfortunately there has been no progress on a joint LRA/LRC paper on the nature of Working Time regulation. The deadline for LRC delivery has expired and is almost three months overdue. It was agreed that this should be vigorously pursued and if no progress is made then the agreement should be terminated. It was suggested that as an alternative, Pat Maxwell from UUI could be invited to complete this work.

**DAS**

### **4.3 Board Vacancies 2009**

It was noted that the Chairman had received a response from DEL regarding the criteria for Board appointments. Generic selection criteria had been developed, but it was agreed that a more specific specification which included experience of employment relations would be more appropriate for the Agency. It was agreed that the process needs to be speeded up given the pace of the previous appointments procedure.

**Chairman**

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

### **5.1 Review of Dispute Resolution in NI – Special Board Meeting 13 February 2009**

It was noted that the consultation period is likely to be from April to June 2009.

The CEO referred to the final draft consultation document which had been received from DEL, and to a draft document indicating a potential Agency position on the initial questions of the consultation document. The CEO indicated that the full first draft response would be submitted

to the April Board meeting.

It was agreed to have a special Board Meeting in order to discuss the Agency response to the consultation document. The meeting is to take place following the April Board Meeting commencing at 1.30 pm.

**CEO**

It was noted that an Agency seminar was also being arranged to which key stakeholders would be invited to listen to the Agency position and to give their own views on the review of dispute resolution.

**CEO/  
Secretary**

Suggested dates for the seminar are – 3<sup>rd</sup>, 4<sup>th</sup> or 9<sup>th</sup> June. The venue and date are to be confirmed.

## **5.2 LRA Inspectorate**

The Board discussed the possibility of the Agency having an inspection role on employment rights which would help employers understand their obligations to their workers. This would involve an inspection role only, and would not extend to an enforcement role. It would be confined to statutory entitlements rather than exercisable rights.

After discussion, it was agreed that this proposal could endanger the independence of the Agency and could fundamentally change the nature of the organisation. It could lose its impartiality for something which could have little practical benefit. It was agreed that there may be a requirement for such a body, and while the Agency would support this, it was agreed that the role is not appropriate for the LRA.

The Chairman thanked the DAS for producing the paper which helped to challenge and clarify the Board's thoughts.

## **5.3 iIP**

The Board discussed the Agency's Action Plan for Continuous Improvement. It was agreed that more emphasis should be given to (1) the integration of continuous improvement within the culture of the organisation, (2) line manager accountability for continuous improvement should be more openly stated, particularly with regard to developing people and managing performance, and (3) learning rather than training opportunities should be stressed. It was also agreed that measures of success need to be more specific and measurable and linked to the Business Plan.

**CEO**

It was noted that the Action Plan will be discussed at the next SMT meeting. An amended plan will be submitted to the next Board Meeting.

**CEO**

It was agreed that a copy of last year's Training Plan is forwarded to Julie Anne Clarke as requested.

**DCS**

#### **5.4 Draft Corporate Plan 2009/12**

The draft Corporate Plan, which includes the Balanced Scorecard approach, was discussed. It was agreed that there has been considerable improvement in the structure of the corporate plan, but the content needs to be refined in terms of detail. It was also noted that strategic objectives need to have ongoing milestones in order to measure how the organisation is moving forward and to check progress against the Business Plan. It was agreed that this will be important if the Agency wants to shape the future of Dispute Resolution in Northern Ireland.

**CEO**

It was agreed that a small group is set up to discuss these issues. The Chairman, Peter Williamson, Brenda Maitland, Neal Willis and Trevor Morrow agreed to participate. They will meet on 9 April at 4.00pm.

**Chairman**

#### **5.5 Draft Business Plan 2009/2010**

It was noted that discussions on the Corporate Plan would inform the revision of the Business Plan.

**CEO**

#### **5.6 RPA**

The following points were noted:

It was noted that final draft documentation on the proposed dispute resolution processes is to be discussed with John Corey of NIPSA. The matter of the appointment of Chairs to Independent Appeal Panels is to be finalised.

**CEO/DCA**

#### **5.7 Equal Pay Audit**

It was noted that the statistical report for the Equal Pay Audit provided by NISRA has been passed to the Agency legal advisors. A response to a query from an individual member of staff is in draft.

**CEO/DCS**

It was noted that a report on the Audit will be submitted to the Board in due course.

**CEO**

#### **5.8 Monthly Management Report**

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

It was noted that the JNCC meeting on 3 March had been very positive.

##### ***Director (Advisory Services)***

It was noted that the number of advisory workshops and Good Practice seminars was slightly down this year, probably due to the economic downturn.

***Director (Conciliation and Arbitration)***

It was noted that OITFET has moved to new premises on the old Gasworks site. Members of staff are pleased with the new facilities. There is access to computers on site allowing for more time being spent at OITFET. This is seen as a positive step.

***Director (Corporate Services)***

It was noted that timely payment to suppliers has steadily improved in the current year.

It was noted that the ERO Job Share post has been filled. The successful candidate will be starting on 1 April.

The recruitment for the post of IT Manager is progressing.

**6. Audit Sub-Committee**

***6.1 Meeting held on 18 March 2009***

Roden Ward reported on the Audit Committee meeting held on 18 March. The main business was to look at the internal audit findings. Discussions also included concerns about disaster planning, consideration of future accommodation for the Agency and an update on the Risk Register. The Audit Committee Terms of Reference were also discussed. The Terms of Reference will be the subject of review during 2009.

**DCS**

It was noted that the internal audit report had been very encouraging and had included several satisfactory ratings. Some minor areas needed improvement, namely the timelines of the Business/Corporate Plans and C&A staffing. Most of the recommendations from previous reports had been carried out or are in progress. The Committee was pleased with the Internal Audit Report and felt that it reflected well on the staff involved.

***6.2 Minutes of Audit Committee Meeting held on 15 October 2008***

The minutes of the meeting on 15 October 2008 were ratified by the Board.

It was agreed that Audit Committee minutes will be included on the LRA website.

**7. Finance & Personnel Sub-Committee**

***7.1 Meeting held on 4 March 2009***

It was noted that the main items discussed at the Finance & Personnel Committee were – the budget position, the equal pay audit and the IiP Report. The JNCC was also discussed. It was noted that following on

from the CEO's comments above, it was agreed to discharge the JNCC update as a standing item from the F&P agenda. Accommodation and IS/IT Strategy were also discussed..

## **7.2 *Minutes of Finance & Personnel Committee held on 10 December 2008***

The minutes of the meeting on 10 December 2008 were ratified by the Board.

It was agreed that Finance & Personnel Committee minutes will be included on the LRA website.

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

- *Letter received from June Ingram, DEL*

It was noted that DEL had approved the carry-over of £230k of 2008-09 grant-in-aid into the financial year 2009-10.

## **9. Any Other Business**

### **9.1 *On Board Training***

It was noted that On Board training is regularly available for Board members and would be particularly useful for new members. It was agreed that the evaluation of Board Member training should be shared with other Board members and recorded in Board minutes.

It was noted that two Board members will be attending Audit Committee training in May.

## **10. Date of Next Meeting**

The next meeting of the Board will be held on **Thursday, 30 April 2009**, beginning at 10.00 am in Room 1.

Standing items from Board Year Plan:

- Monthly Management Report
- F&P Com – Verbal Report – Meeting 22 April
- F&P Com – Minutes 4 March 2009
- Register of Interests and Board Member Training
- Operational Presentation – The Individual Conciliation Process

**An additional meeting will be held on 30<sup>th</sup> April to discuss Dispute Resolution, beginning at 1.30 pm.**