

**MINUTES OF THE THREE HUNDRED AND FIFTIETH MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 AM  
ON THURSDAY, 29 OCTOBER 2009  
IN THE SILVERBIRCH HOTEL, OMAGH**

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

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

**1. Apologies Action**

Apologies were received from Patricia O'Farrell and Lyn Fawcett.

**2. Minutes of Previous Meeting held on 24 September 2009**

The minutes of the meeting held on 24 September 2009 were proposed by Peter Williamson, seconded by Neal Willis, and agreed as a true and accurate record of the meeting.

The Chairman congratulated Peter Williamson on his re-appointment to the LRA Board for a second term.

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

**4.5 External Conferences 2009**

It was noted that the CIPD Ireland Annual Conference had been reduced to one day, normally two days. The CEO agreed to inform the Board in advance of the 2010 Conference when details become known.

**CEO**

Brenda Maitland reported on the TUC Conference which she and the DAS had attended 14-16 September. She appreciated the opportunity to attend, and had found the conference very interesting and enjoyable and also valuable in obtaining an outside perspective.

CEO confirmed that he would be contacting Professor Keith Ewing and Susan Anderson (CBI) in relation to speaking at an LRA seminar on

recent decisions of the European Court of Human Rights.

**CEO**

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

The Chairman referred to a letter he had received from Roden Ward thanking the Board for their kind words and the gift he had received at the last Board Meeting. Roden had expressed thanks to the CEO and colleagues, and said that he had enjoyed his time as a Board Member and wished the Agency well in the future.

##### **4.1 Declaration of Board Member Interests**

No interests were declared by members.

##### **4.2 Board Vacancies – Update**

The Chairman indicated that the appointment process was still delayed owing to questions on conflicts of interest. The selection panel will be writing to certain candidates this week giving them the opportunity to consider the conflict of interest issue. The Chairman expressed concerns with how the matter has been dealt with. Members agreed that the protocol for conflicts of interest required review. It was agreed to return to this matter when the selection process is complete.

**Chairman**

##### **4.3 Board Member Performance Appraisals 2008/09**

The Chairman requested that outstanding appraisals are returned as soon as possible in order that the process can be completed.

**Board  
Members**

Chairman asked Board Members to consider whether individual appraisal meetings were required each year.

**Board  
Members**

##### **4.4 Joint LRA/LRC Board Meeting**

It was noted that there still had been no response from the LRC with regard to a joint meeting.

It was agreed that when a suitable date was established for the Board visit to the LRA European Foundation for the Improvement of Living and Working Conditions in Dublin that Kieran Mulvey, CEO LRC, will be contacted in order to propose linking the visit with a joint LRA/LRC meeting.

**Chairman/CEO**

##### **4.5 Joint LRA/Equality Commission Meeting**

It was noted that a meeting was scheduled with Chairman, CEO and Bob Collins and Evelyn Collins of the EC on 10 November. It is intended to discuss matters arising from the DEL Review of Dispute Resolution and the agenda for the joint LRA/EC meeting.

**Chairman/CEO**

#### **4.6 Proposed Schedule of Board Meeting Dates 2010**

After discussion on the proposed dates, it was agreed that the April meeting would be changed to Friday, 30 April and the May meeting to Friday, 28 May. All other dates proposed for 2010 were confirmed by members.

#### **4.7 Board Away Day**

It was noted that the Away Day in November would include a presentation and discussion on the Balanced Scorecard by representatives from DID.

**CEO**

It was also proposed that Tom Evans and June Ingram would be invited to give a presentation on the potential policy outcomes of the DEL Review of Dispute Resolution.

**CEO**

#### **4.8 Board Member Training Report**

The DCS reviewed the section of the LRA Training Plan relevant to Board Members.

It was noted that Brenda Maitland wished to undertake media training.

**DCS**

With reference to the shortage of representation of Board Members serving on the Audit Sub-Committee, it was agreed that this subject would be raised again when the new Board Members are appointed. It was agreed that appropriate training would be made available to all members of the Audit Committee.

**DCS**

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

#### **5.1 DEL Review of the Agency**

The CEO reported that he will be meeting with KPMG on Friday, 30 October. The CEO expects to get some indication of the review outcomes and areas of Agency development. The final report is due to be submitted to DEL by the end of November.

**CEO**

#### **5.2 Continuous Improvement**

There was some discussion on the Appraisal process and disappointment was expressed that 2008-09 appraisals were not yet complete. CEO reported that he has been giving this matter priority and he agreed that the SMT would follow it up and report back to the Board.

**CEO**

#### **5.3 RPA**

It was confirmed that the CEO will be issuing a similar letter to that issued to the Local Government Staff Commission on the arrangements

**CEO**

being made for future industrial relations machinery e.g. in Health and Education.

There was some discussion on the question of Civil Servants moving to local authorities with a view to returning to the Civil Service in the future. It was agreed that this could lead to operational problems for local government. It was noted that the Chairman will be attending a meeting of the Public Service Commission on 2 November and may obtain more details.

**Chairman**

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

It was noted that there was nothing more to report.

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

It was noted that a formal letter had been received from the Department thanking the Agency for its submission and stating that its proposals will be given serious consideration. It was noted that June Ingram and Tom Evans, DEL have been asked by the CEO to consider giving a presentation to the Board after the November Board meeting. The DEL Steering Group is to meet 5 November.

It was also noted that the Chairman had attended the presentation by DEL given to the Assembly Committee on 14 October. It is anticipated that the Minister might indicate emerging conclusions on the policy outcomes in December to the Assembly Committee before proposals are formulated for the NI Executive.

An article from the Business Telegraph written by John Simpson on dispute resolution was circulated to members. It was agreed that it was an excellent piece.

#### **5.6 *Constitution of Labour Relations Agency***

Reference was made to correspondence between the Chairman and the Minister, Sir Reg Empey regarding the Employment Bill amendments, particularly with regard to the importance of tripartite appointments to the Board.

After discussion it was agreed that the Board's concern on the potential loss of tripartite representation is communicated to DEL. It was also agreed that for an NDPB such as the LRA the selection criteria for Board members must include employment relations experience.

**Chairman**

#### **5.7 *NI Bill of Rights***

The Board discussed the proposal to introduce a Bill of Rights for Northern Ireland. It was agreed that the impact of and the relationship between a NI Bill of Rights, in particular on the right to work, the

Human Rights Act 1998 and NI employment legislation would need careful attention and consideration.

### **5.8 Risk Register**

It was noted that the Risk Policy and Procedural framework has been reviewed and a series of amendments have been incorporated. The revised framework was recommended by the Audit Committee and accepted by the Board. It was further agreed that the Risk Register would in future be a standard item on the Board Agenda for the November meeting.

**CEO**

### **5.9 Mid 2009 Update on Financial Expenditure Projections**

The DCS highlighted budget expenditure projections for the remainder of the 2009/10 financial year. It was noted that staff have been presented with the first draft accommodation proposals and programme. The lease for Unit 1 has now been signed and keys will be handed over next week.

### **5.10 Half Year IS/IT Report**

It was noted that progress on the ICT programme is going well. The CEO indicated that consideration needed to be given to the development of the case management system given that the Tribunal system had not progressed, the responsibility for which may be moving to the Court Service.

**CEO/DCA**

### **5.11 Schedule of Bi-Monthly Reports to the Board**

The schedule setting out details of bi-monthly reporting to the Board on performance against strategic objectives and operational targets was agreed.

### **5.12 Bi-Monthly Management Report 1 April 2009-30 September 2009**

Following discussion, the Board approved the report. It was suggested that more comprehensive but succinct commentary on targets would assist the Board. It was agreed that any relevant points on performance should be raised at the Board Meeting on 19 November.

**SMT**

### **5.13 Monthly Management Report**

It was noted that the Management Report will no longer include any detail on statistics.

The increase in numbers attending workshops and seminars was highlighted. The promotional material recently produced and distributed by the Agency appeared to have reached a wider audience.

Congratulations were expressed to Mark McAllister who had appeared on BBC Radio Ulster Talkback to discuss bullying in the workplace.

The CEO reported that a matter of Helpline staff being called as witnesses to Tribunals was being addressed by the Agency solicitors. The CEO will report in full in due course.

The DCA informed the Board that as part of the raising of the Agency public profile a group of Trade Union Full Time Officials would be visiting the Agency to be introduced to the range of Agency services. A similar group of managers will be invited to the Agency in the New Year.

**DCA**

## **6. Audit Committee**

### ***6.1 Minutes of the Audit Committee meetings held on 15 and 25 June 2009***

The minutes of the meetings held on 15 and 25 June 2009 were ratified by the Board.

### ***6.2 Minutes of the Audit Committee meeting held on 14 October 2009***

The Chair of the Audit Committee, Peter Williamson, gave a report to the Board of the meeting on 14 October 2009.

The subject of Audit Committee quorums had been discussed. The Audit Committee had expressed concern in this regard. It was agreed that this can be resolved when the new Board Members are appointed.

Other items discussed at the meeting were:

- The introduction of the new international financial standards for the Annual Report and Accounts.
- Under the new financial standards the revised position on employee benefits.
- The Audit Committee Charter was approved.
- The Audit Committee adopted a self assessment check-list regarding good government practice but agreed to apply the check list when new members were appointed.

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

### ***7.1 Press Release – Independent Review of Economic Policy Panel Publishes Major Report***

The Chairman drew attention to the wider economic context in which

the Agency is operating and the necessity to demonstrate that the LRA is giving value for money with regard to employment relations.

## **8. Any Other Business**

### **8.1 Public Relations**

- First Trust Bank Economic Outlook and Business Review article by CEO '*Government's Review of Dispute Resolution*' (Sept 2009 issue)

Content noted.

- News Letter article and photograph re '*Pregnancy and Work Awareness Campaign*'

Content noted.

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

The Board will next meet at an away day to be held on **Thursday, 19 November beginning at 2.00 pm and finishing on Friday 20 November** at lunchtime, in the **Bushmills Inn, Bushmills, Co Antrim.**

## **10. LRA Public Board Meeting**

The Chairman opened the Public Meeting and welcomed members of the public and members of staff from the Regional Office in Derry and Agency HQ Office.

The Chairman formally presented the LRA Annual Report and Accounts 2008/09 on behalf of the Board. The CEO then reported on the work of the Agency over the 2008/09 financial year.

The Chairman thanked the attendees for their attendance and officially closed the public Board meeting.

The meeting was followed by lunch.