

**MINUTES OF THE 409th MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT
10.00 am ON THURSDAY, 24 SEPTEMBER 2015
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST**

Present: Marie Mallon (Chair)
Deirdre Fitzpatrick
Alison Millar
Albert Mills
Jill Minne
Daire Murphy
Gordon Parkes
Pauline Shepherd

In Attendance: Tom Evans Chief Executive, (CEO)
Penny Holloway Director, Conciliation & Arbitration, (DCA)
David McGrath Director, Advisory Services, (DAS)
Gerry O'Neill (Director, Corporate Services,(DCS))
Alison Wolfe (Minutes Secretary)

Action

<p>The Chair welcomed Mary O'Brien and Morna Blaney who were in attendance to update Board members on preparations for liP assessment. The Chair advised Board members that the Agency was undergoing a period of intense work around preparations for the liP and ISO assessments both of which were due to take place w/c 28 September.</p> <p>The Chair also highlighted the new cover paper for Board papers which members found helpful. It was agreed that all Board papers should now have a cover paper.</p> <p>The Board were advised that the Stakeholder Strategy paper (item 8) would be deferred until the October meeting.</p>	
<p>1. Apologies</p> <p>Apologies were received from Sally McKee and Gary McMichael.</p>	<p>Secretary</p>
<p>2. Conflicts of Interest</p> <p>There were no interests declared.</p>	
<p>3. Minutes of 27 August 2015 Meeting</p> <p>The minutes of the meeting held on 27 August 2015 were agreed as a true and accurate record of the meeting.</p> <p>Gordon Parkes, in his capacity as Chair of the Audit and Risk Assurance Committee, confirmed that he was content with the minutes of 25 June Board meeting as amended. A copy of the agreed amended minutes to be forwarded to Board members.</p>	<p>Secretary</p> <p>Secretary</p>

<p>4. Matters Arising from 27 August 2015 minutes</p> <p>4.1 SME Support Strategy The DAS confirmed that the proposed UU survey of SMEs would not be proceeding due to funding constraints. The Board discussed the possibility of utilising UU students to carry out research. It was agreed to remit discussion to the Research Committee who would report to the Board in due course.</p> <p>4.2 Staff Survey The CEO updated the Board on the 22 September 2015 JNCC meeting. Management and that TUS have agreed to have an early meeting to progress a number of operational issues, particularly the Redundancy and Absence Management policies.</p> <p>The CEO advised the Board that TUS had made the following proposals in respect of a Confidential Recipient report prepared by Carecall; that Management should accept the report recommendations in their entirety; that the report is shared with the Board for information; and that an action plan is agreed to take forward the recommendations. The CEO confirmed that the TUS proposals and the general content of the Confidential Recipient report will be a substantive agenda item at the next JNCC meeting and the report will also be included in the October Board meeting papers.</p> <p>The CEO also reported that TUS had raised no concerns about the current implementation of the new case management system and commended the work of the staff in the Conciliation and Advisory sections under the direction of the DCA. The CEO acknowledged the contribution from TUS in reviewing the extensive range of legal compliance policies in preparation for the upcoming assessment against the 2013 ISO27001 standard.</p> <p>4.3 liP Mary O'Brien and Morna Blaney briefed the Board on the extensive preparations for the four day liP assessment commencing on 28 September. Mary O'Brien took the Board through the workbook which had been used to brief all of the Agency staff that will be interviewed by the assessor. The Chair confirmed that she had taken part in the briefing for senior management which had been very informative. The Chair, on behalf of the Board, thanked Mary and Morna for their update and commended the input of all staff involved in the liP preparations. The DCS advised that the assessor's report will inform the work to update the Agency's HR Strategy scheduled to be completed by December 2015.</p> <p>4.5 Board Sub-Committees The Board agreed, subject to availability, that Board sub-committee meetings should be held on the same day as Board meetings. It was agreed to reschedule the next meeting of the Audit and Risk Assurance Committee.</p> <p>There was a discussion about the handling of generic Board meetings and Board workshops. It was agreed that the Chair could convene a short Board meeting to clear any urgent business issue on the day of a Board workshop. The Chair would then formally close the Board meeting and the Board would move into workshop format.</p> <p>5.3 Annual Report/Accounts The Chair confirmed that Kieran Mulvey, Chief Executive designate of the ROI's Workplace Relations Commission, would be the keynote speaker at the Agency's public meeting in November 2015.</p>	<p>DAS</p> <p>SMT</p> <p>SMT</p> <p>Secretary</p>
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<p>There was a general discussion about potential venues; Jill Minne made the offer of the City Hall or the Ulster Hall subject to availability. The Secretariat to put in place the necessary arrangements.</p>	<p>Secretary</p>
<p>The Chair also confirmed that there would be a Board workshop immediately prior to the public meeting, with presentations on the Agency's new Case Management System followed by a CIPFA presentation on its Mark of Excellence governance standard.</p>	<p>CEO/DCA</p>
<p>5. Chair's Business</p> <p>5.1 Board Member Training/Appraisals</p> <p>The DAS provided a verbal report on the main issues discussed at the TUC annual conference; the Trade Union Bill 2015/16, the expanded role of the GB Certification Officer and Welfare Reform.</p> <p>The CEO advised the Board that he intends to review the current Memorandum of Understanding (MOU) between the Agency and the Certification Officer to more accurately reflect the tri-partite relationship between the Agency, the Certification Officer and DEL. The CEO agreed to bring back to the Board a revised draft of the MOU in advance of any follow meetings with the Certification Officer and DEL.</p> <p>The Chair encouraged Board members to consider attending a forthcoming CIPFA conference on Governance and Leadership which she will be attending. The Chair also indicated that she will be attending the CBI Annual Conference in London in November 2015; and will also be speaking at a UNISON conference on partnership in October 2015, primarily on her previous experiences with the Belfast Trust but will also use the event to promote the Agency.</p> <p>The CEO confirmed that he will be speaking at the CBI Annual HR conference in November 2015. He will update the Board with more detailed information in due course.</p> <p>5.2 Update on Roundtable/Other Stakeholder Meetings</p> <p>(a) Roundtable</p> <p>The Chair advised the Board that the next meeting of the Roundtable will take place on 12 October. It was agreed to issue the list of Roundtable members to the Board for information.</p> <p>(b) Other stakeholder meetings</p> <p>The Chair advised that the Minister has still to make a decision with regard to the appointment of new Board members. The CEO agreed to follow up with DEL.</p> <p>The CEO reported on his meeting with Glenn Jordan, Director of the Law Centre, and the agreement to have a joint workshop to explore opportunities to further strengthen the current partnership arrangements. The CEO also reported on his meeting with representatives of the Cathedral Quarter Trust to discuss proposals for the establishment of a Business Improvement District. The CEO indicated that this initiative could offer benefits to the Agency in terms of promotional opportunities and health and wellbeing outcomes.</p>	<p>CEO</p> <p>Chair/BMs</p> <p>CEO</p> <p>Secretary</p> <p>CEO/Chair</p> <p>CEO</p>

<p>6. Budget Performance to end August 2015</p> <p>The CEO introduced the budget performance paper which highlighted the financial position to the end of August 2015 and the potential end year position based on the Agency continuing with the current financial constraints. The CEO also reported that he had received no indication from DEL that the Agency's 15/16 budget would be cut. The Board queried whether there was some disconnect between the wording of the cover paper that the current constraints were having a significant impact in terms of operational efficiency and staff wellbeing and the body of the paper that indicated that to date there had been no significant detriment to services.</p> <p>In response the CEO advised that continuance of this approach would have a cumulative effect through a sustained reduction in operational capacity and referred Board members to the section of the paper which highlighted the range of operational impacts that were already evident. The DCA added that staff are now starting to feel the impact of the reduction in resources and that the backlog in administration is starting to negatively impact frontline services.</p> <p>Board members also raised concerns that this adverse impact on operational efficiency and staff wellbeing could surface in the forthcoming liP assessment. The CEO assured the Board that Management were supporting staff through team meetings and by being proactive in listening to their concerns. The CEO advised the Board that he had attended all team meetings to explain to staff why certain cost reduction measures were in place; and to outline the rationale for filling certain vacancies on a temporary or full-time basis, and the reasons for not filling certain vacancies. He also advised that TUS has also been apprised of the current position. In response to a query about staff morale the CEO advised that he has not received any representations but assured the Board that the senior management team would keep the lines of communication open primarily through team meetings.</p> <p>The CEO advised the Board that the SMT would now consider how the residual 15/16 budget should be spent in terms of filling critical vacancies and reducing end year underspend; but in a way that is consistent with the terms of the Agency's MSFM.</p> <p>The Board asked to be apprised of the budget position on a monthly basis. The Board also asked whether there was any information about the integration of the Agency into the new departmental structures post the 2016 Elections and proposed that the Chair and CEO seek an early meeting with the DEL Permanent Secretary, a further option could be to invite the Permanent Secretary to meet with the Board to discuss this issue. The Chair, on behalf of the Board, congratulated the management team on their handling of the current difficult situation.</p>	<p>SMT</p> <p>Ch/CEO</p>
<p>7. Business Plan Performance Report (Paper 24/15 - updated)</p> <p>The CEO presented the updated 2015/16 Business Plan Performance Report highlighting areas where a target was at risk of not being met. Directors also provided updates on specific areas of activity.</p> <p>It was noted that OFMDFM would not be able to continue to support the Agency's website and that the current website facility would terminate at the end of 2015. The Board agreed with the CEO's decision to procure a supplier to ensure that a new website would be in place from 1 January 2016. The Board were advised that the number of PCC referrals had increased in recent weeks and that a major collective had recently been resolved to the satisfaction of both parties.</p>	<p>CEO/DCS</p>

<p>The Board discussed the possibility of working with local councils in respect of the work they are doing around economic development and regeneration. This was particularly relevant in Belfast where there were links with SMEs and efforts were being made to attract new investment and create jobs. Jill Minne undertook to forward the Belfast City Council strategy document to the Chair and CEO.</p>	<p>BM/Ch/CEO</p>
<p>8. Annual Section 75 Progress Report</p> <p>The DCS provided background to the Annual Section 75 Progress Report and responded to individual queries raised by the Board. The Chair congratulated those involved in the preparation of the report.</p>	
<p>9. Board Priorities (Paper 9.15 – updated)</p> <p>The CEO advised Board members that there was a need to hold an away day to discuss strategic issues. The Board agreed that the Chair and CEO should prepare a discussion paper for the October Board meeting.</p> <p>The CEO advised that he had met with the internal auditors to discuss the 2015/16 programme of work and would be discussing the key outcomes with the Chair of the Audit & Risk Assurance Committee.</p>	<p>Ch/CEO</p> <p>CEO/BM</p>
<p>10. Tribunal Rules Consultation (Paper 25/15)</p> <p>The CEO advised that he and the DCA had met with DEL officials in advance of preparing the Agency’s response to the consultation. The CEO explained that the draft response focused primarily on promoting the use of ADR and the critical role of the Agency.</p> <p>The CEO responded to a number of questions raised by the Board. The Board approved the draft response subject to a minor amendment.</p>	<p>CEO</p>
<p>11. Employment Law Update</p> <p>The Board noted that the format of the update had changed slightly to improve the narrative of the update.</p>	
<p>12. Any Other Business</p> <p>The Chair read a card from Patricia McQuillan thanking the Board for their gift to mark her 35 years’ service with the Agency.</p> <p>The Chair advised Board members that the October meeting would be held in the Regional Office in Londonderry. It was agreed to arrange an alternative date for the Audit & Risk Assurance Committee which had been due to meet on the afternoon of 29 October.</p>	<p>DCS/Sec</p>
<p>13. Date of Next Meeting</p> <p>The next meeting of the Agency Board will take place on Thursday, 29 October 2015 at 10.30 am in the Regional Office, 1-3 Guildhall Street, Londonderry.</p>	<p>Secretariat</p>