

**MINUTES OF THE 429<sup>th</sup> MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT  
10.00 am ON THURSDAY, 28<sup>th</sup> SEPTEMBER 2017  
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST**

**Present:** Marie Mallon (Chair)  
Deirdre Fitzpatrick  
Michelle McGinley  
Gary McMichael  
Alison Millar  
Jill Minne  
Daire Murphy  
Pauline Shepherd

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

		<i>Action</i>
<b>1. Apologies</b>	Apologies were received from Albert Mills and Louise Crilly.	
<b>2. Conflicts of Interest</b>	There were no conflicts of interest declared.	
<b>3. Chair's Opening Remarks</b>	<p>The Chair indicated that the Boardroom Apprentice and Mentee would not be in attendance as the business meeting has had to be compressed to allow time for the meeting with the local trade union branch and the in-camera discussion on VES/transformation. The Chair also advised that the Boardroom Apprentice and Mentee had asked if they would be permitted to ask questions and input to discussion at Board meetings. The Board agreed this request.</p> <p>The Chair outlined the business for discussion and Board approval at the meeting.</p>	<b>Chair</b>
<b>4. Minutes of 31 August 2017 Meeting (Paper BP01-09/17)</b>	The minutes of the meeting held on 31 August 2017 were agreed as a true and accurate record of the meeting.	<b>Secretary</b>
<b>5. Matters arising from the minutes of 31 August (Paper BP02-09/17)</b>	<p>The Chair in introducing the new Progress Report commended the level of progress since the last meeting. The Board agreed that this report provides assurance that key actions are being progressed; negates the need to discuss all matters arising; and still allows for individual issues to be discussed as required.</p> <p><b>5.1 Board Member Recruitment</b> The Chair referred to the Department for the Economy's letter of 21 September 2017 regarding the re-appointment of Board members and a recent meeting with David Sterling when the difficulties created by the lack of appointments were highlighted.</p>	

<p>The Chair confirmed that all affected Board members had indicated that they were content for their tenure to be extended as set out in the Department's letter. The Chair thanked members for their agreement to continue in their role.</p>	
<p>The CEO agreed to ascertain the current position regarding the recruitment of lay panel members to Tribunals.</p>	<b>CEO</b>
<p><b>5.2 Accommodation</b></p> <p>The CEO reported that Land and Property Services (LPS) had recently confirmed that the new Landlord is seeking a higher level of rent than had been anticipated by LPS. The CEO reminded the Board that the Agency had been assiduous in seeking to have the issue resolved since 2014 and confirmed that the provision in the 2016-17 accounts would not cover the totality of the increased liability creating an additional pressure in the current year. The Agency will instruct LPS to settle the Rent Review as quickly as possible and explore the possibility of an extension to the lease until 2022.</p>	<b>CEO</b>
<p><b>5.3 Launch of the Joint Declaration of Protection</b></p> <p>The CEO confirmed that the Roundtable had agreed to launch the Joint Declaration of Protection following the Agency Board meeting on 26 October and outlined the draft programme. The Board acknowledged the importance of this initiative given the recent threats to some public workers which the Chair will make reference to at the launch event.</p>	<b>Chair</b>
<p>The logistics of the event are being finalised including publicity. It was agreed that invitations would also issue to representatives from equality organisations, employers, faith groups, trade unions and political parties.</p>	<b>CEO/DAS</b>
<p><b>5.4 Business Plan Performance Report</b></p> <p>The CEO reported that a new Business Plan Performance Report had been developed which addresses recent Internal Audit comments on the format used in 2016-17. The CEO advised that the new report, reflecting the mid-year position, will be presented to the October Board meeting but did confirm that all key operational targets are being fully met at this stage.</p>	<b>SMT</b>
<p><b>6. Corporate Plan (Paper BP03-09/17)</b></p> <p>The CEO introduced the draft Corporate Plan which reflected much of the content of the Agency's 2017-18 Business Plan recently submitted to DfE for approval. The Corporate Plan was approved with a number of amendments. It was agreed to issue the Corporate Plan to stakeholders for consultation with a final draft coming to the December Board meeting for approval.</p>	<b>CEO</b>
<p><b>7. Report from Chair of ARAC (Paper BP04-09/17)</b></p> <p>Deirdre Fitzpatrick, Chair of ARAC presented her report of the key issues from the ARAC meeting held on 12 September 2017 which was noted by the Board.</p>	
<p><b>8. Corporate Governance Policies (Paper BP05-09/17)</b></p> <ul style="list-style-type: none"> <li>• <b>Code of Conduct for Staff (Annex A)</b></li> <li>• <b>Board Practice and Standing Orders (Annex B)</b></li> </ul> <p>The DCS reported that both policies had been reviewed and cleared by ARAC for submission to the Board. The Board approved both policies and agreed that Trade Union Side should now be consulted on the revisions to the Code of Conduct for Staff with any proposed amendments coming back to the Board.</p>	<b>DCS</b>

<p><b>9. Finance Issues</b></p> <p>The DCS reported that a new format for the Management Accounts has been developed for consideration at the Finance &amp; Personnel Committee's next meeting 2 October. The mid-year position will then be presented to the October Board meeting using the revised format.</p> <p>The CEO advised that the budgetary position remained very difficult with little flexibility to meet any emerging pressures.</p>	<p><b>DCS</b></p>
<p><b>10. Any Other Business</b></p> <p>There was no other business to report.</p>	
<p><b>11. Meeting with representatives of the local NIPSA branch</b></p> <p>The Chair welcomed Tommy Wright and Fionn Davey to the meeting and invited them to make their opening remarks. TUS confirmed that they are opposed to any form of cuts but recognised that the Agency was no different to any other public sector body in being subject to a budget reduction which is outside of its control. TUS expressed the view that VES/transformation was the most appropriate option for dealing with the current budget pressures but stressed the need for the Board to oppose any further cuts.</p> <p>TUS set out the following actions which the CEO has agreed as the basis for consultation/negotiation on the VES/Transformation:</p> <ul style="list-style-type: none"> <li>• The determination of which posts (in part or whole) are to be suppressed to allow for the necessary reduction in the Agency's pay bill;</li> <li>• The specific nature or re-ordering of roles, duties, titles, objectives in the posts that were vacated through the VES <b>but are to be filled in a transformed way</b>;</li> <li>• The method of filling the residual vacant posts after the application of the processes at 1 and 2 above. The TUS has already indicated that it believes that the proper way to do this is through a combination of voluntary internal transfer and appointment competition limited to internal candidates;</li> <li>• After 1-3 is concluded, to assess the impact on existing work levels, practices, and expectations of those arrangements and to find agreement as to how those resourcing reductions are managed in a way which is fair to remaining staff. There are multiple ways to achieve this.</li> </ul> <p>The Chair thanked Tommy for his remarks and asked for his assessment of the state of industrial relations within the Agency. Tommy confirmed that Industrial Relations is very positive and provides a very good basis for the upcoming joint Management and TUS VES/transformation project. The Board agreed that it was important to hear from Branch representatives and that there should be a meeting on at least an annual basis.</p>	
<p><b>12. Voluntary Exit Scheme – In Camera Discussion</b></p> <p>The Board held an in-camera meeting to discuss the Voluntary Exit Scheme/Transformation project.</p>	

**13. Date of Next Meeting**

The next meeting of the **Agency Board** will take place on **Thursday, 26 October 2017 at 9.30 am in Assembly Buildings (Spires), 2-10 Fisherwick Place, Belfast.**

The Chair outlined the schedule of events for the day indicating that the Board meeting would be followed by the Annual Public Meeting to launch the Annual Report & Accounts. This would be followed by the Annual Lecture by Oonagh Buckley on the WRC's transformation journey. Following the Public Meeting a separate event would be held to launch the Joint Declaration of Protection. It was hoped that attendees at the Public Meeting would also attend the launch of the Joint Declaration.

**Secretary**

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