

MINUTES OF THE 456th MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT
10.00 am ON THURSDAY, 27 AUGUST 2020
VIA VIDEOCONFERENCE

Present: Marie Mallon (Chair)
Deirdre Fitzpatrick
Michelle McGinley
Alison Millar
Albert Mills
Daire Murphy

Patrick McAuley (ERM, Regional Office)
Linda Olphert (ERO, Regional Office) For Item 12
Kellie Cooke (EOII, Regional Office)
John Keaveney (EOII, Regional Office)

In Attendance: Tom Evans (Chief Executive, (CEO)
Don Leeson (Director, Corporate Services (DCS)
Mark McAllister (Director, Employment Relations Services (DERS)
Alison Wolfe (Minute Secretary
Grainne Ni Cheallaigh (Boardroom Apprentice

Members of the Board met ‘in-camera’ prior to the formal commencement of the meeting.

	<i>Action</i>
<p>1. Apologies</p> <p>Gary McMichael. Louise Crilly, Jill Minne</p>	
<p>2. Conflicts of Interest</p> <p>No conflicts of interest declared.</p>	
<p>3. Chair’s Opening Remarks</p> <p>The Chair advised that this is Grainne’s last Board meeting reflecting that Covid-19 had a constraining impact on her placement. The Chair wished Grainne well for the future; in reply, Grainne expressed her appreciation to the Chair and Board members.</p> <p>The Chair confirmed that the new Boardroom Apprentice, Sarah Livingstone, to attend her first Board meeting in September. Sarah is a trainee solicitor with a particular interest in employment law. Michelle McGinley has agreed to mentor Sarah and reported that they had already been in contact. Sarah also attending the Finance & Personnel Committee meeting on 1 September.</p> <p>The Chair reported from the ‘in-camera’ session that the Board had discussed:</p>	

<ul style="list-style-type: none"> • CEO recruitment; • Board member/Chair recruitment; • Update on the Engagement Forum. <p>The Chair outlined the agenda for the meeting and that there would be a briefing from the Regional Office team later in the meeting.</p> <p>The Board agreed not to hold the annual October public meeting because of public health considerations. The Board may consider hosting an alternative event later in the year on the findings from the Warwick University research, funded by DfE.</p> <p>The Chair reported on a recent meeting with the Chair and CEO of the Equality Commission; agreed in principle to hold a joint meeting following the October Board meeting. The CEO to follow up with the Equality Commission.</p>	<p>CEO</p> <p>CEO</p>
<p>4. Minutes of 25 June 2020 Board meeting (Paper BP01-08/20)</p> <p>The minutes of meeting held on 25 June <u>agreed</u> as a true and accurate record.</p>	<p>Secretary</p>
<p>5. Matters arising from the Minutes of 25 June Board meeting (Paper BP02-08/20)</p> <p>The DCS introduced the action points paper highlighting the following issues:</p> <ul style="list-style-type: none"> ✚ The Agency still awaiting details of draft Partnership Agreement; ✚ Work progressing on James House to review design issues and the most effective utilisation of the allocated space, with work to be completed by early 2021; ✚ The Agency in advanced discussions with NISRA about becoming an official statistics provider; ✚ CPD has recommended extending the IS Managed Services contract by a further year, DfE has approved the business case and paperwork being prepared for final sign-off; ✚ Warwick University to brief SLT on the key findings from the Employment Relations model research project; ✚ Staff informed that Louise Crilly is the Board contact for Whistleblowing and the policy being updated; ✚ CEO and DCS held a positive meeting with ASM, the new internal audit provider to discuss a three year Strategic Internal Audit Plan. ARAC will consider the draft plan at its September meeting. <p>The DERS highlighted the following:</p> <ul style="list-style-type: none"> ✚ The Advisory 'Working from Home' Guide now drafted for consideration by the Engagement Forum; ✚ An operational model for the virtual delivery of the Line Manager's Certificate now prepared. <p>The Board noted that a meeting between the ARAC Chair, CEO and DCS arranged for 3 September to progress actions identified in the ARAC self-assessment.</p>	<p>CEO</p> <p>DCS</p> <p>Chair of ARAC</p> <p>DERS</p> <p>Chair of ARAC</p>

<p>The Chair commended the significant progress on a number of development projects during lockdown.</p>	
<p>6. Chief Executive's Update</p> <p>The CEO highlighted the following issues:</p> <ul style="list-style-type: none"> ✚ Development of the OBA approach is progressing; the Agency has re-introduced some historical performance targets on the advice of DfE; ✚ Rent review – Land & Property Services has recommended accepting an increase of 40% supported by comparative rental analysis. The CEO confirmed that the Agency has been very proactive in challenging this assessment and raised concerns with DfE but has now conceded the need to sign the new rental agreement and seek additional budget cover; ✚ The Agency has responded to the current Spending Review setting resource budgets for three-year period commencing 1 April 2021 with capital allocations covering an additional year. DfE have also asked for confirmation that the Agency can live within budget for the current year; ✚ Employment Relations Group – The sub-group will present some reward and recognition proposals to the Finance & Personnel Committee on 1 September; ✚ The Employment Relations Group has asked if the Agency could become involved in supporting certain topical issues (without compromising the Agency's independence) such as Black Lives Matter and Gay Pride – for discussion at the Board workshop in September; ✚ Two ERMs will join SLT for a four-month placement as part of the Agency's leadership development programme; ✚ A meeting with the Chair and CEO of Acas to discuss the work of the Engagement Forum; ✚ SMT developing ICT-supported delivery models for all frontline services; ✚ The Comptroller & Auditor-General intends to include some commentary in the RTTCWG on the remuneration of Board members who are members of the wider public service; ✚ All ALBs asked to review the authority of staff to act on behalf of their Board following a recent legal determination relating to the Charities Commission, we are seeking legal advice; ✚ The Agency's response to the ALB review discussed. <p>The Board noted the content of the Chief Executive's update.</p>	<p>CEO</p> <p>CEO</p> <p>Board</p> <p>CEO</p> <p>Chair DERS</p> <p>CEO</p>
<p>7. Proposals around safety measures to re-open premises (BP03-08/20)</p> <p>The DCS introduced a paper setting out proposals for a phased approach to re-opening the Gordon Street offices; this work taken forward in partnership with staff and the TUS Health and Safety lead.</p> <p>The CEO confirmed that clear protocols and appropriate safety measures must be in place before any staff can return; initially small numbers of staff would be involved to test out the arrangements with no visitors admitted.</p> <p>The Board noted the content of the paper and commented that the approach taken is thorough and flexible.</p>	<p>DCS</p>

<p>8. Business Plan Performance Report (Paper BP04-08/20)</p> <p>The CEO introduced the performance report confirming good progress on all Business Plan objectives.</p> <p>The Board noted the content of the Business Plan Performance Report.</p>	
<p>9. Management Accounts (Paper BP05-08/20)</p> <p>The DCS presented the Management Accounts for the period ending 31 July highlighting areas of overspend and the mitigating measures in place to ensure the Agency lives within its annual baseline.</p> <p>Two additional bids, to cover Covid-19 and EU exit, submitted and the Agency awaiting outcome of the October Monitoring Round.</p> <p>The Agency has sought to address some of the historical and recurring financial pressures (pay and price increases/increased rent) in our response to the current Spending Review.</p> <p>The Board noted the content of the paper.</p>	DCS
<p>10. Consultation on Review of the Independent Appeals Service facilitated by the Agency</p> <p>The DERS provided the background to the current Independent Appeals Service, which is enshrined in collective agreements and not reviewed since it was first established. Daire Murphy declared an interest.</p> <p>The CEO confirmed he has received a number of complaints about the operation of the service and that a recent employment tribunal had referred to it as an 'antiquated process'. The Board agreed with the Chair's proposal that any review should also encompass the Arbitration service.</p> <p>The Board agreed that the DERS should prepare draft terms of reference for discussion at a future Board workshop.</p>	DERS
<p>11. Review of Agency Document Review Service (Paper BP06-08/20)</p> <p>The DERS provided a background to the Agency's Document Review Service explaining that the current delivery model is very resource intensive and not fit for purpose. The review has identified a number of recommendations for modernising the service through the development of ICT-enabled self-help templates to allow our staff to focus on the provision of bespoke advice and support.</p> <p>The CEO commended the DERS and Helen Smyth for taking forward what is a very significant development project and the intention is to have the new service in place for the next financial year.</p> <p>The Board approved the proposals to modernise the service.</p>	DERS

<p>12. Update from Regional Office staff</p> <p>The Chair welcomed the Regional Office staff to the Board meeting. Patrick introduced his team and then reported on the key developments since the Board's last visit to the Regional Office in August 2018, including the move to Richmond Chambers. This was followed by a very positive engagement between the Board and Regional team about their feelings on the move to Richmond Chambers and how they were coping with Covid-19</p> <p>The Chair thanked Patrick for his update saying that it was very impressive to hear what they had all achieved collectively.</p> <p>The CEO commended the regional team for leading in many innovative projects, the work with INI and Derry and Strabane District Council being a notable example. Deirdre Fitzpatrick spoke about her personal experience with Causeway Coast & Glens District Council, paying tribute to Patrick's work on the Steering Committee for the Alchemy Programme and the flexibility and support provided by his team. Patrick agreed to follow up with Deirdre in connection with the continuation of the programme.</p> <p>The Chair, on behalf of the Board, thanked the Regional Office team for how they have continued to operate throughout the pandemic.</p>	<p>Regional Office ERM</p>
<p>13. Any Other Business</p> <p>The Chair and Board members expressed their appreciation to the SLT for their work with the Engagement Forum. Alison Millar gave her apologies for next week's Forum meeting.</p> <p>Board members expressed their appreciation to staff for their positive attitude and flexibility in the current situation. Also praised the support provided by HR to ensure good staff morale and mental health.</p> <p>The September Board meeting will take place virtually, however in due course it will be necessary to consider the format of future meetings. The Board agreed that the Chair and SLT could explore the potential for a planning workshop early in 2021 at an external venue, taking into account cost and prevailing safety guidance.</p> <p>Grainne thanked everyone for their support over the past year.</p>	<p>Chair/SLT</p>
<p>14. Date of Next Meeting</p> <p>The next meeting of the Agency Board, Thursday, 24 September 2020 at 10.00 am by videoconference.</p> <p>While there is currently no facility to send hard copy Board papers, Board members asked to feedback any concerns around meeting arrangements.</p>	<p>Secretary</p>