

**MINUTES OF THE 469th MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD AT 10.00am ON MONDAY, 29 NOVEMBER 2021
IN THE MOUNT BUSINESS & CONFERENCE CENTRE, BELFAST**

Present: Gordon Milligan (Chair)
Geraldine Alexander
Louise Crilly
Deirdre Fitzpatrick
Michelle McGinley
Daire Murphy

In Attendance:	Don Leeson	Chief Executive
	Paul Lowe	Director of Corporate Services
	Mark McAllister	Director of Employment Relations Services
	Keelin Kelly	Communications Manager (agenda item 6)
	Clare Bonner	Morrows (agenda item 6)
	Kieran Donnelly	Morrows (agenda item 6)
	Mike Brennan	Department for the Economy (agenda item 7)
	Wendy Carberry	Department for the Economy (agenda item 7)
	Colin Jack	Department for the Economy (agenda item 7)
	Aideen Duggan	Boardroom Apprentice
	Alison Wolfe	Minute Secretary

Apologies: Clare Duffield
Kevin McCabe
Jill Minne
Lee Wilson

This meeting was switched from an in-person to a virtual event in light of recent public health guidance.

Board members met 'in-camera' prior to the formal commencement of the meeting. The key points from this discussion are recorded at agenda item 1.

Declarations of Interest: None.

1. Chair's Opening Remarks

1.1 The Chair reported that the Chief Executive and he will be participating in the virtual International Agencies conference on 2 December 2021. Reports from each country, in the form of pre-recorded videos, will be shared with Board members.

Action: Secretary

1.2 It was noted that HR Managers will be contacting Board members during December regarding a training needs analysis. The outcome of these discussions will inform a Board Learning and Development Plan for consideration at the January 2022 Board meeting.

Action: Director of Corporate Services

1.3 The Chair congratulated the Director of Employment Relations Services on his input to Legal Island's Annual Review of Employment Law conference in November 2021. Feedback has been very positive. A recording of the event is available for Board members who may wish to access it.

Action: Secretary

2. Minutes of previous Board meeting

2.1 The minutes of the meeting held on 21 October 2021 (paper BP01-11/21) were agreed as an accurate record of the meeting, and for publication on the Agency's website.

Action: Secretary

3. Action Points from Previous Board meeting

3.1 The Chief Executive introduced the progress report on action points from previous Board meetings (paper BP02-11/21).

3.2 It was noted that the Department of Finance has now been accredited as a Living Wage Employer. The Agency is exploring whether or not this accreditation extends to arm's length bodies that are aligned with NI Civil Service's terms and conditions of employment and procurement arrangements.

Action: Director of Corporate Services

3.3 Initial legal advice on a constitutional matter regarding Board decision-making has been received from the Departmental Solicitors' Office. The Agency is seeking further clarification around some issues.

Action: Chief Executive

3.4 Receipt of a further iteration of the draft Partnership Agreement from DfE is pending and it is anticipated that this will not now be available for Board consideration until early 2022. The Agency will continue to liaise with the Department regarding this matter.

Action: Chief Executive

3.5 The Chief Executive reported that, while the Hybrid Working Guidance is available on the Agency's website, discussions are ongoing with the Agency's media partner to identify an appropriate date to launch the guidance. In the meantime, the guidance was promoted at the recent Legal Island conference.

Action: Chief Executive

3.6 It was noted that workshops with IT Assist to progress the on-boarding of the Agency's IS managed services were held on 18/19 November 2021. Progress will be reported to the December 2021 Board meeting.

Action: Director of Corporate Services

3.7 The Board noted that the annual audit against the ISO 27001 information management security standard was successful. A report will be presented to the Audit and Risk Assurance Committee meeting on 13 December 2021. No cyber security issues were raised by this audit; the National Cyber Security Centre (NCSC) will now be approached for additional assurance.

Action: Director of Corporate Services

3.8 A draft programme for the Agency's employment relations conference will be presented to the December 2021 Board meeting. In the meantime, the Chief Executive will meet keynote speakers to discuss their input.

Action: Chief Executive

3.9 The next meeting of the NI Engagement Forum will take place on 8 December 2021; Board members are welcome to attend. The Head of the Civil Service is unable to participate in that meeting, but is keen to attend in future. In the meantime, the Chair reported that the Forum awaits a response from the First Minister and Deputy First Minister on the proposed review of the Forum's terms of reference.

4. Chief Executive's Report

4.1 The Chief Executive presented the report (BP03-11/21).

4.2 The Chief Executive and Director of Employment Relations Services continue to meet key stakeholders to discuss the review of the Independent Appeals Service. It is anticipated that proposals will be presented to the January 2022 Board meeting.

Action: Director of Employment Related Services

4.3 The Senior Leadership and Senior Management Teams held a workshop on 17 November 2021 to discuss organisational transformation, particularly restructuring and new ways of working. A process review will underpin proposals, which are scheduled to be presented to the March 2022 Board meeting for consideration.

Action: Chief Executive

4.4 The Board noted that DfE has suggested further minor changes to the Corporate Plan and Business Plan, mainly related to the NI Engagement Forum. The Agency awaits formal approval of both plans.

4.5 The Agency has been informed that the Information Commissioner has decided not to take action in respect of the recent data breach.

4.6 It was noted that Agency's planned appearance before the Committee for the Economy is being rescheduled to early 2022.

4.7 The Chair reported on the meeting of the Employment Relations Roundtable, which took place on 2 November 2021. This included a presentation by officials from the Department for Business, Energy and Industrial Strategy on proposed legislative changes in respect of flexible working and carers' leave in Great Britain.

4.8 The Chair acknowledged that this has been an extremely busy period for the Agency, particularly for those staff involved in conciliating collective disputes, which are proliferating. The Chief Executive was asked to pass on the Board's sincere appreciation for the work undertaken.

Action: Chief Executive

5. The Statutory Role of the Labour Relations Agency

5.1 The Director of Employment Relations Services introduced the paper (paper BP04-11/21) setting out the statutory underpinning for the Agency's services. The paper was requested by the Board to inform discussions regarding service changes and priorities, particularly in respect of the Mediation Service.

5.2 The Board noted that the language used in the legislation was dated and did not properly reflect the Agency's functions as they relate to modern workplaces.

5.3 Board members agreed that paper was very useful and provided a better understanding in terms of current service delivery issues.

5.4 It was further agreed that the previous Board paper on the future of the Mediation Service (paper BP05-09/21 refers) will be updated in light of the Board discussion and presented to the December 2021 Board meeting.

Action: Director of Employment Related Services

6. Communications Strategy for 2021-25

6.1 The Chair welcomed the Communications Manager along with representatives of Morrows, the Agency's new media partner, for a discussion on the Communications Strategy and wider perspectives on the Agency's work.

6.2 The Communications Manager presented the revised Communications Strategy (paper BP05-11/21).

6.3 In line with the new Corporate Plan, the Strategy outlines key areas of focus and how the Strategy will support the Agency's vision and objectives. The Board agreed that it was strategically important to raise the profile of the Agency in demonstrating how we add value to the economy by creating positive working environments and preventing workplace disputes. There is concern that the Agency might be perceived as an organisation to deal with only when there is a problem, which might inhibit employers' engagement with us on other matters. Case studies would be particularly helpful in overcoming such a perception.

6.4 The Board noted that Morrows will assist the Agency in producing podcasts and developing case studies. They will also support a stakeholder mapping exercise, which it was agreed to do through a workshop involving Board members and the Senior Management Team.

Action: Communications Manager

6.5 The Boardroom Apprentice suggested that collaboration with recruitment agencies might be beneficial in raising awareness of rights for temporary workers.

Action: Communications Manager

6.6 The Board approved the Communications Strategy.

6.7 The Chair thanked the Communications Manager and Morrows for attending the meeting and the helpful discussion.

7. DfE Permanent Secretary Update – Mike Brennan

7.1 The Chair welcomed the DfE Permanent Secretary, Mike Brennan, to the meeting.

7.2 The Permanent Secretary provided an update on the economy, labour market issues, and budgetary restraints likely to arise from the Government's Spending Review.

7.3 The Chair thanked the Permanent Secretary for attending the meeting and his helpful update.

8. Any Other Business

8.1 Board members were asked to note the remaining papers and forward comments to the Chief Executive.

8.2 It was noted that the Corporate Governance Action Plan (paper BP08-10/21 refers), which was agreed at the October 2021 Board meeting, includes a review of Standing Orders. It was agreed that this should include consideration of the quorum for Board meetings.

Action: Chief Executive

9. Review of the Meeting

9.1 Board members confirmed they were content with the quality of the papers and discussion at the meeting.

10. Date of Next Meeting

10.1 The next Board meeting will be on 16 December 2021.

Action: Secretary

10.2 The Chair reported that the Minister for the Economy is now unable to attend this meeting due to a diary clash. Alternative dates for meetings in early 2022 have been provided to the Minister's office for consideration.

10.3 Given the absence of a number of Board members, it was agreed to clear the proposed schedule of Board meetings to March 2023 by correspondence.

Action: Secretary