

**MINUTES OF THE 472nd MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD AT 10.00am ON 24 FEBRUARY 2022
IN THE MOUNT BUSINESS AND CONFERENCE CENTRE, BELFAST**

Present: Gordon Milligan (Chair)
Geraldine Alexander
Clare Duffield
Deirdre Fitzpatrick
Kevin McCabe
Michelle McGinley
Jill Minne
Daire Murphy
John Taylor

In Attendance:	Don Leeson	Chief Executive
	Paul Lowe	Director of Corporate Services
	Mark McAllister	Director of Employment Relations Services
	Avril Alexander	Employment Relations Manager (agenda item 5)
	Angela Bryans	Employment Relations Manager (agenda item 5)
	Fionn Davey	Employment Relations Manager (agenda item 5)
	Diane Edgington	Accommodation Project Manager (agenda item 5)
	Paul Herink	IT Manager (agenda item 5)
	Patrick Quigley	Employment Relations Manager (agenda item 5)
	Pamela Robinson	(Executive Assistant designate)
	Alison Wolfe	Minute Secretary

Apologies: Lee Wilson
Aideen Duggan Board Apprentice

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

The Chair welcomed new Board member John Taylor to his first meeting following his appointment on 1 February 2022.

Kevin McCabe was welcomed back to the Board following a period of illness.

Declarations of Interest: None.

1. Chair's Opening Remarks

- 1.1 Board members noted that the meeting was primarily a strategy workshop to allow members to consider priorities for the Business Plan for 2022-23, with representatives of the Senior Management Team (SMT).

1.2 The Chair reported that the in-camera discussion had been used to reassign roles following Louise Crilly's departure from the Board. Michelle McGinley agreed to become a member of the Audit and Risk Assurance Committee and continue as a member of the Finance and Personnel Committee. She also agreed to be the named Board contact within the Agency's Raising Concerns (Whistleblowing) Policy. John Taylor agreed to join the Finance and Personnel Committee.

Action: Chief Executive

1.3 Members noted that self-assessment forms will be issued to seek views on the effectiveness of the Board. The results will be presented to the May 2022 Board meeting and reported in the Annual Report and Accounts for 2021-22.

Action: Secretary/Chief Executive

1.4 Board member appraisal meetings with the Chair will be scheduled for April/May 2022.

Action: Secretary/Chair

1.5 The Chair reported that the Chief Executive, Director of Employment Relations Services and he are scheduled to meet the Assistant Secretary of the Irish Congress of Trade Unions on 10 March 2022 to discuss the current industrial relations climate in NI.

Action: Chair/Chief Executive/Director of Employment Relations Services

1.6 The Board noted changes to the draft Corporate Plan for 2021-25 and Business Plan for 2021-22 regarding the NI Engagement Forum on Covid-19, which have been proposed by the Minister for the Economy. The changes were accepted by the Board. The plans will be revised and resubmitted for approval by the Department.

Action: Chief Executive

2. Minutes of Previous Board Meeting

2.1 The minutes of the meeting held on 27 January 2021 (paper BP01-02/22) 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 Meetings

3.1 The Chief Executive introduced the progress report on action points from previous Board meetings (paper BP02-02/22).

3.2 A meeting with University of Warwick researchers to discuss next steps regarding the Employment Relations Model is scheduled to take place on 10 March 2022. This work will be progressed through the Business Plan for 2022-23.

3.3 Proposed revisions to the Board's Standing Orders will be reviewed by the Audit and Risk Assurance Committee on 7 March 2022 and then submitted for approval at the next Board meeting.

Action: Chief Executive

3.4 Review of the Mediation and Independent Appeals Services will be progressed through the Business Plan for 2022-23.

3.5 In the meantime, it was noted that work is continuing to clear the backlog of Independent Appeals hearings, which built-up during the pandemic. It is estimated that it will take 12 months to clear the backlog. The Senior Leadership Team is monitoring progress.

Action: Director of Employment Relations Services

3.6 It was noted that there have been no developments regarding lifting the Executive's work from home guidance. It was agreed that the Agency should now promote guidance on hybrid working to enable employers to begin to prepare for the change in Executive guidance, when it comes.

Action: Director of Corporate Services

3.7 The Chief Executive reported that a new keynote speaker has been identified for the Agency's conference. It is envisaged that the conference will now take place towards the end of 2022; checks will be made to seek to avoid clashes with other conferences before the date is finalised.

Action: Chief Executive

3.8 The Chief Executive reported that the Department of Finance (DoF) has informed the Agency that Head Office relocation to James House will be delayed because of the loss of a key sub-contractor to the refurbishment project. A revised timetable for relocation is awaited. However, it is likely that this will be after the expiry of the Agency's lease on 31 May 2022. It was agreed that the Agency should holdover its lease until such time as notice to leave can be given with confidence that James House will be available for occupancy within the three-month notice period required for exiting the current lease. It was noted that the Agency may be able to recoup additional costs incurred because of the delay from the main contractor for James House.

3.9 It was noted that the Agency's Equality, Diversity and Inclusion Champion met Jill Minne who has agreed to mentor the Agency's Women's Network. The Women's Network held its first meeting on 23 February 2022. Given its growing importance, the Board agreed that consideration should be given to creating a specific post to progress EDI work.

Action: Chief Executive

3.10 The outcome of the Agency's application for Diversity Mark Bronze accreditation is awaited. Diversity Mark objectives will be progressed through the Business Plan for 2022-23.

3.11 The Board noted the report.

4. Chief Executive's Report

4.1 The Chief Executive presented the report (BP03-02/22).

4.2 The Board discussed the current public finance situation, with the risk that the Executive may not agree a budget until after Assembly elections in 2022. It was decided that the Agency should set a budget based on forecast requirements for 2022-23, rather than baseline. This was to allow the Agency to roll-forward current temporary staffing arrangements for which additional funding has been sought in the absence of a budget allocation covering these costs; funding will be sought through in-year monitoring rounds.

Action: Chief Executive

4.3 The Board approved a proposal to create an additional post to increase capacity to manage IT work, including the transition to IT Assist.

Action: Director of Corporate Services

4.4 The Chief Executive reported on a meeting with representatives from Acas and the Universities of Westminster and Sheffield on 31 January 2022 to discuss the extension to NI of research on the cost of workplace conflict, which has been published recently by Acas in Great Britain. A proposal on this is awaited.

Action: Chief Executive

4.5 The Chief Executive reported on a positive discussion with David Liddle and Legal Island on 9 February 2022 regarding the promotion of transformational mediation in NI. Further discussions are planned, which may inform proposals regarding development of the Agency's Mediation Service.

Action: Chief Executive

4.6 The Board noted that the Agency has agreed to become a founding member of Neurodiversity in Business, which launches in the Houses of Parliament on 22 March 2022. Further information on this will be shared with Board members.

Action: Chief Executive

4.7 The Board noted that the Trade Union Side is being consulted on the Agency's own hybrid working policy for staff. It was noted that this is a sensitive employment relations matter. The Board will be kept apprised of developments.

Action: Chief Executive

4.8 The Director of Employment Relations Services provided an update on current collective conciliation cases.

4.9 The Agency is engaging with the NI Human Rights Commission about possible collaboration to promote a Procurement Policy Note on Human Rights in Public Procurement (PPN 05/21) published by DoF in November 2021. The Director of Employment Relations Services provided an update on a meeting involving the Minister of Finance on this matter. PPN 05/21, which includes requirements regarding employment relations, is now mandatory for organisations to comply with and therefore provides potential leverage for the Agency to promote improvements in this area. The Board will be kept informed of developments.

Action: Director of Employment Relations Services

4.10 The Board noted the Chief Executive's report.

5. Business Plan for 2022-23 - presentation

5.1 The Chair welcomed SMT members to the Board to discuss priorities for the Business Plan for 2022-23.

5.2 A pre-recorded video from the Minister for the Economy was viewed before the presentation on the Business Plan. The Minister had recorded the video message as he was unable to attend the Board meeting in person. The video, with positive feedback on the work of the Agency, was welcomed by the Board. The Chair asked that the Board's appreciation for video is passed to the Minister.

Action: Chief Executive

5.3 The SMT presented the priorities for the Business Plan for 2022-23 for Board discussion.

5.4 In discussion, the Chief Executive highlighted proposed changes to the narrative underpinning the Agency's values to reflect commitment to EDI. This had been prompted by discussion at the Finance and Personnel Committee meeting in December 2022. The changes had been discussed with the Staff and Board EDI Champions. An addition to the proposed values was suggested by the Board to reflect the impact of the Agency's work on society as well as the economy. Staff will be consulted on the proposed changes before they are finalised.

Action: Chief Executive

5.5 The Board noted that the Agency's planned workload for the year ahead had to be moderated to ensure an effective response could be made to the substantial volume of holiday pay conciliations expected during the year, Head Office relocation and organisational transformation.

5.6 It was also noted that the Business Plan will incorporate specific EDI objectives, which was welcomed by the Board.

5.7 The Business Plan priorities were agreed. These will be reflected in the draft Business Plan for 2022-23, which will be prepared for approval at the next Board meeting. It was agreed that the plan should comment on resourcing and affordability to reflect ongoing budget uncertainty and reprioritising to respond to additional conciliation demands will be managed.

Action: Chief Executive

5.8 The Board thanked the SMT for their presentation.

6. Finance and Personnel Committee – Report on meeting held on 3 February 2022

6.1 The Board noted the key issues highlighted in the report from the Finance and Personnel Committee meeting held on 3 February 2022 (paper BP04-02/22).

7. Business Plan Performance Report for the period ended 31 January 2022

7.1 The Board noted the Business Plan Performance Report for the period ended 31 January 2022 (paper BP05-02/22).

8. Management Accounts for the period ended 31 January 2022

8.1 The Board noted the Management Accounts for the period ended 31 January 2022 (paper BP06-02/22).

9. Any Other Business

9.1 There was no other business.

10. Review of the Meeting

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

11. Date of Next Meeting

11.1 The next Board meeting will be on 31 March 2022. This will be a hybrid meeting held in the Agency's offices, allowing members to attend in-person or by videoconference.

Action: Secretary

11.2 The Chief Executive introduced the draft agenda for the meeting (paper BP07-02/22). This new approach provides an opportunity for Board members to influence Board agendas. Comments on the draft agenda to be forwarded to the Chief Executive.

Action: Board members