

# FINAL REPORT

## Arms-Length Body (ALB) Review of the Labour Relations Agency (LRA)

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## DISCLAIMER

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# EXECUTIVE SUMMARY

## 1. Introduction to the Review

In April 2023 the Department for the Economy (DfE) engaged Business Consultancy Services (BCS) to complete a review of the Labour Relations Agency (LRA). The review was conducted in line with Cabinet Office guidance, namely Tailored Reviews: Guidance on Reviews of Public Bodies<sup>1</sup> (May 2019) and Guidance on the undertaking of Reviews of Public Bodies<sup>2</sup> (December 2022).

The Terms of Reference covered three areas:

- A light touch assessment of the continued need for the LRA;
- A light touch analysis of the current delivery model; and
- Opportunities for enhanced effectiveness and efficiency of delivery.

The report draws together the findings of the Review and makes specific recommendations to support DfE and the LRA to optimise their impact on employee relations in NI.

## 2. Approach

The report sets out the approach to the project including the extensive engagement with the LRA's stakeholders. This included consultations across DfE, LRA, other Government Departments and public bodies, external stakeholders and comparators, alongside a quantitative survey completed by 120 stakeholders from a range of organisations in Northern Ireland.

## 3. About the LRA

The Labour Relations Agency (LRA) was established under the Industrial Relations (NI) Order 1976<sup>3</sup> (and re-enacted by the Industrial Relations (NI) Order 1992<sup>4</sup>) and is classified as an executive Non-Departmental Public Body (NDPB) funded by DfE.

The Agency's purpose is to improve employment relations, promote best employment practice and resolve workplace disputes through the delivery of high quality, impartial and independent services. Its main users are workers, employees, employers' associations, trade unions and other organisations and individuals requiring the Agency's assistance. The LRA provides two core services: advisory functions; and dispute resolution functions such as conciliation.

The report also provides important strategic context to the Review, particularly around the employment landscape.

## 4. Comparator Insights

The Review included short comparison studies with two similar organisations based in other jurisdictions: Acas in Great Britain and the Workplace Relations Commission (WRC) in Ireland. The report draws a number of parallels and differences between the LRA and these comparators, with key findings including:

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<sup>1</sup> [Tailored reviews of public bodies: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/tailored-reviews-of-public-bodies)

<sup>2</sup> [Guidance on the undertaking of reviews of public bodies \(December 2022\)](#)

<sup>3</sup> [Industrial Relations \(Northern Ireland\) Order 1976 \(legislation.gov.uk\)](https://legislation.gov.uk/ukui/1976/0001)

<sup>4</sup> [The Industrial Relations \(Northern Ireland\) Order 1992 \(legislation.gov.uk\)](https://legislation.gov.uk/ukui/1992/0001)

- There is commonality in the key functions of both the LRA and Acas, with a focus on dispute resolution and advisory services. In WRC these are also a core part of the organisation, but the Commission has a wider range of functions covering inspection, enforcement and adjudication which are not seen, or carried out within the other jurisdictions.
- All services provided by the LRA and WRC are free of charge. In Acas some of their income is generated from charges for mediation, forms of training and business support services.
- Both comparators are staffed by civil servants, though with different statuses as organisations (Acas as a Crown Executive NDPB; WRC as an office of the Department for Enterprise, Trade and Employment, though with operational independence in delivering their functions).

Information from this comparison exercise is drawn on in the findings and recommendations, where appropriate.

## 5. Continued Need

The Review Team provides a 'light touch' analysis and assessment on continued need, considering the strengths, impact and future need of the Agency.

It is the consensus of the Review Team that the LRA has a strong reputation amongst employers, trade unions and wider public bodies, offering a valuable service in promoting and improving employment relations in NI. The LRA operates in a complex arena of employment relations, including keeping abreast of divergence of NI from Great Britain's employment law, evolving trends regarding diversity and inclusion in the workplace, as well as emerging societal issues, such as the cost of living crisis, and business trends, including hybrid working.

Additionally, it was clearly identified by consultees that were the LRA to no longer exist, that other organisations, namely DfE and the Office of the Industrial Tribunals and Fair Employment Tribunals (OITFET), would not currently have the capacity, and in some instance the capability, to manage demand for the continuation of necessary functions. This would have adverse impacts with costs to the public purse, businesses and the wider economy.

Support for continued need was seen across the Department with clear alignment between the role of the LRA and the delivery of DfE's 10X Strategy. The Review Team support the view that the LRA's specialism in employment matters will be important in supporting DfE's strategic priorities going forward.

Given all of the evidence included in the report, it is the view of the Review Team that there is both a clear current and anticipated future need for the functions of the LRA. This need is underpinned by legislation which places a legal requirement on the continuation of the service.

## 6. Appropriateness of the Delivery Model

The Review Team considered all alternative delivery models, shortlisting three models for further analysis, as below:

- Abolition: With continued need established, including a statutory basis for the functions of the LRA it is clear that, should the LRA not exist, the functions would still need to be delivered. The Review Team therefore concludes that abolishing the LRA or its functions is not a viable option.

- **Bring In-House:** It is the view of the Review Team, given that impartiality and expertise are consistently highlighted as key strengths of the LRA, that these would be significantly impacted by being brought within a government department. In particular, the impartiality needed in order to effectively conciliate disputes within the public sector would be at risk if this function was operating in-house. It is the Review Team's assessment that this model is not a desirable option.
- **Merge with Another Body:** The Review Team find, at this stage, there is no indication that merging the LRA or its functions with other bodies would be feasible or desirable and as such conclude merger is not a recommended delivery model for now and the foreseeable future. This would not prevent a more holistic consideration of delivery in this sphere further in the future.

In line with guidance, at least one of the 'three tests' must be met to recommend continuation of a NDPB. The Review Team conclude that two of the three tests have been met, namely that the LRA deliver a technical function for which external expertise is needed, and that the function needs to be delivered with absolute political impartiality.

## **7. Opportunities for Enhanced Effectiveness and Efficiency**

The review also provides opportunities for enhanced effectiveness and efficiency and makes a number of concise recommendations, based on a strong evidence base. Recommendations are included alongside the conclusion to this Executive Summary

### **Purpose and Strategic Direction**

The Review Team find the LRA's purpose remains relevant to their key areas of work and is well connected with Departmental priorities. A key aspect that the LRA are progressing as part of their current strategic direction is a Transformation Programme to allow for greater emphasis on promotion of best practice and opportunities for dispute prevention. It is the view of the Review Team that this direction aligns clearly with the 10X Strategy and the recent 10X Delivery Plan.

The LRA's internal strategies positively align to and support the wider direction for the organisation. The Review Team are aware from discussions with the LRA that the strategies are designed to feed upwards into the Corporate Plan and as such there is not yet a clear joined up approach across the five strategies themselves. The Review Team believes that there is potential to improve in this area through greater identification of alignment across the LRA's suite of strategies and the interdependencies which may support, or pose risks to, the overall successful delivery of the Corporate Plan.

The Review Team finds the LRA to be appropriately seeking areas for change. As a small organisation with finite resource the Board and Senior Leadership Team strive to continue to direct resources in order to have the most future impact. Following consideration of potential areas for change, the Review Team are supportive of the LRA's plans to review their mediation provision and recommend this includes assessment of how impactful it is and the value in continuing the offer in its current form.

The Review Team recognise that in recent years the LRA have taken steps to improve awareness and promotion of the Agency. However, there is an ongoing need identified to more fully promote its full range of services to other businesses and stakeholders not currently being reached.

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### **Impact and Measuring Performance**

There are positive indicators of LRA impact in NI, with key examples given of early conciliation savings and stakeholder experiences of the NI Engagement Forum during Covid-19. Utilising research is found to be positive move to engage businesses and inform the LRA's practice. Though the Review Team note that the research focus is more on the impact of good employment relations overall, rather than the specific contribution the LRA make towards this. It will be important going forward for the LRA to clearly make this connection to best demonstrate their impact.

The Review acknowledges that the LRA are invested in working towards providing a view of performance beyond quantitative data and are making positive moves to understand the difference their work makes. However, there are clear limitations on LRA's use of data, linked to IT and resourcing constraints. This restricts their ability to progress a Business Intelligence (BI) Strategy and to fully demonstrate the Agency's impact.

### **Governance and Accountability**

The Review Team find that the LRA has a good governance structure in place. The Board is effective, and a key strength from consultees' perspectives is its tri-partite membership. No notable issues were identified across audits, risk management or on financial management within the organisation.

The Review Team find that an effective sponsorship/partnership arrangement is in place. From DfE's perspective, the LRA is a well-established NDPB viewed as 'low risk'. Overall positive working relationships and appropriate accountability arrangements are seen to be in place, which need formalised in the Partnership Agreement as a priority.

### **Structure and Shared Services**

The Review Team view the current Transformation plans to be appropriate in reviewing structures and taking steps to mitigate risks and future proof the structure of their organisation. Due to existing gaps in the LRA structure in relation to IT personnel, the Agency are seeking to migrate their ICT service provision to IT Assist. With this move, the Review Team find that the LRA are utilising shared services as appropriate.

## **8. Conclusion**

To conclude, taking on-board all of the information gathered as part of this Review it is clear that the LRA are highly respected across a range of sectors and valued for their expertise on employment issues. The Agency is seen as having an ongoing and central role to play in improving employee relations in NI. It is the perspective of the Review Team that the implementation of the recommendations set out below will have a positive impact that will assist LRA in enhancing their service delivery further.



Recommendations are included below:

**Table 1. Summary of Recommendations**

No	Area	Recommendation
1.	Delivery Model	The Review Team recommend that the current NDPB delivery model should be retained.
2.	Strategic Direction	The Review Team recommend that interdependencies are clearly identified across the LRA's internal strategies to ensure a joined-up approach and clear alignment to the current strategic direction.
3.	Strategic Direction	The Review Team recommend that the LRA review their provision of mediation services, giving consideration to a shift in emphasis towards an enabling approach in line with their wider strategic direction.
4.	Strategic Direction	The Review Team recommend that the LRA expand engagement with private sector organisations in order to build earlier 'buy-in' and knowledge of good workplace practice.
5.	Measuring Performance	The Review Team recommend that the LRA prioritise IT system enhancements to enable progress against the BI Strategy and improve data usage to inform and drive change.
6.	Measuring Performance	The Review Team recommend that DfE and the LRA explore the options for statistical and data-related support resources in order to strengthen understanding of the impact of LRA service delivery.
7.	Measuring Performance	The Review Team recommend that the LRA, in coordination with DfE, develop appropriate and feasible Tier 3 metrics in line with the 10X Delivery Plan.
8.	Accountability	The Review Team recommend that the Partnership Agreement between DfE and the LRA is finalised no later than the 30 November 2023 deadline set by DfE Corporate Governance.
9.	Structure	The Review Team recommend that, when embedded, the LRA review their new structures within a 12-18 month period, to ensure the structures are effective in supporting the desired direction of travel.

# 1. INTRODUCTION

## 1.1 Introduction

BCS is the principal source of internal consultancy services across the Northern Ireland Civil Service (NICS), its Executive Agencies and Arm's-Length Bodies (ALBs). BCS were appointed by Department for the Economy (DfE) in April 2023 to complete a review of the Labour Relations Agency (LRA).

## 1.2 About ALB Reviews<sup>5</sup>

Government departments should complete regular reviews of their ALBs to make sure they are aligned to strategic objectives, well governed and providing value for money.

Such reviews are conducted in line with guidance including:

- *Tailored Reviews: Guidance on Reviews of Public Bodies* (Cabinet Office, May 2019)<sup>6</sup> – this was launched as the next generation of 'Quinquennial Review' with a view to providing robust challenge to and assurance on the continuing need for individual ALBs;
- *Partnerships between departments and arm's length bodies: Code of Good Practice*<sup>7</sup> (Cabinet Office); and
- *Guidance on the undertaking of Reviews of Public Bodies* (Cabinet Office, December 2022)<sup>8</sup> – this is designed to build on and indeed deal better with perceived limitations of the tailored review process. The guidance is supported by a Self-Assessment Model (SAM).

## 1.3 About DfE

DfE was established in May 2016 following the restructuring of Northern Ireland (NI) Departments. It employs over 1,200 staff and has responsibility for 20 organisations<sup>9</sup>. Its responsibilities include:

- Wider economic policy, including specific areas like Energy, Tourism and Telecoms;
- The operation of a range of employment and skills programmes;
- Oversight and funding of the further and higher education sectors;
- Various aspects of employment law; and
- The management and operation of various EU funding programmes.

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<sup>5</sup> ALB is the umbrella term for public bodies, the LRA is classed as an NDPB. DfE have adopted the terminology of 'partnership working/Partner Organisation' instead of the historically used 'sponsorship/sponsored body' to reflect a collaborative approach. The term Partner Organisation will be used as appropriate within the report, with ALB or NDPB used when referencing relevant guidance or where this has been the terminology used when quoting other external sources.

<sup>6</sup> [Tailored Review Guidance on public bodies -May-2019.pdf \(publishing.service.gov.uk\)](#)

<sup>7</sup> [Partnerships with arm's length bodies: code of good practice - GOV.UK \(www.gov.uk\)](#)

<sup>8</sup> [Guidance on the undertaking of reviews of public bodies](#)

<sup>9</sup> This includes 14 NDPBs, two North/South bodies and 4 Independent/Autonomous Bodies referred to as Higher Education Institutions (HEIs)

It is structured across five groups:

- International and Economic Relations Group;
- Economic Strategy Group;
- Management Services and Regulation Group;
- Skills and Education Group; and
- Energy Group.

#### 1.4 About this Review

The Executive agreed, at its 16 December 2021 meeting, that a review of ALBs should be conducted in accordance with the commitment made in the New Decade New Approach (NDNA) Agreement<sup>10</sup>. The process requires individual Departments to progress reviews of their ALBs and ultimately bring any significant recommendations for reform to the wider Executive for agreement.

The Department for the Economy (DfE) has 14 Executive Non-Departmental Public Bodies (NDPBs) which are in scope for the NDNA review process (North / South Bodies, tribunal NDPBs and autonomous Higher Education Institutions are not included). A review of Invest NI has completed and review of the six Further Education Colleges is ongoing.

BCS were approached by DfE to conduct seven reviews. As these reviews are both significant and important, it was agreed by DfE and BCS that a short scoping phase be carried out to shape and help deliver the objectives of the subsequent reviews. Scoping commenced in October 2022 and finalised in January 2023, consisting of desk based review and consultation with stakeholders including Partner Teams and Partner Organisations.

The approach to scoping followed the established Tailored Review guidance<sup>6</sup> (May 2019) and aligned to the structure of the newer guidance<sup>8</sup> (December 2022). The information gathering question-set was structured to encompass both the May 2019 and December 2022 guidance to ensure that the approach took account of both the existing and proposed guidance at the time<sup>11</sup>. Based on the evidence emerging from the scoping phase, key areas of focus for each Partner Organisation were identified and Terms of References (ToRs) and methodologies were developed to centre on the identified needs, priorities, areas of focus and depth required for each subsequent NDPB review. As such, each ToR and methodology differs between organisations and draws on key aspects of the various guidance in order to meet the specific need established at scoping. Therefore, rather than simply mirror the guidance, the design of these reviews has been influenced by the relevant guidance and tailored around the specific needs identified at scoping.

BCS presented key findings from scoping and the Terms of Reference for subsequent reviews to DfE Corporate Governance, Partner Teams and their respective Partner Organisations in December 2022 for feedback. A final report was issued to DfE on 17 January 2023. It was agreed by DfE that BCS should carry out the subsequent reviews for six of the seven Partner Organisations included in scoping namely:

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<sup>10</sup> [New Decade A New Approach \(2020\)](#)

<sup>11</sup> At the time of scoping, the newer December 2022 guidance had not been accepted by NICS. Since this time the guidance has been accepted.

- Construction Industry Training Board Northern Ireland (CITB NI);
- Consumer Council NI (CCNI);
- Health and Safety Executive for NI (HSENI);
- Labour Relations Agency (LRA);
- NI Screen; and
- Stranmillis University College.

The review of Tourism NI is being considered separately by the department.

Henceforth this report will focus on the review of the LRA with the remaining aforementioned NDPBs being reported on in separate reviews spanning approximately 2023 to 2024.

## 1.5 Terms of Reference

As above, the scoping exercise enabled DfE and BCS to agree a Terms of Reference and a proportionate approach to the Review. The agreed TOR is outlined below:

**Table 2. Terms of Reference**

Terms of Reference	
Heading	Detail
<b>Continued Need</b>	<ul style="list-style-type: none"> <li>• A light touch assessment of continued need.</li> </ul>
<b>Appropriateness of Delivery Model</b>	<ul style="list-style-type: none"> <li>• A light touch analysis of the current delivery model.</li> </ul>
<b>Opportunities for Enhanced Effectiveness and Efficiency</b>	<ul style="list-style-type: none"> <li>• Assessment of the LRA’s purpose and strategic direction including the strategic alignment between Departmental priorities, LRA objectives and delivery, structure and impact:               <ul style="list-style-type: none"> <li>○ Exploring with the Department, LRA and others the purpose (within the legislative framework and strategic direction of the LRA) in order to support discussions around expansion, reduction or stopping some non-legislative work and whether a change in brand would be desirable. This would need to consider how the LRA aligns with the Departmental vision, 10x Performance Management Framework and focus on what makes the most significant impact in a challenging financial climate.</li> <li>○ Explore how performance is measured and if there are any improvements to how that is assessed.</li> <li>○ Providing an understanding, with examples, of how LRA impacts on employment relations in NI.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• A light touch review on governance and opportunities to improve approaches in financial, budgetary and governance arrangements.</li> </ul>
	<ul style="list-style-type: none"> <li>• A light touch view on appropriateness of structure and identification of any gaps in terms of roles.</li> </ul>
	<ul style="list-style-type: none"> <li>• Consider wider shared services use.</li> </ul>
	<ul style="list-style-type: none"> <li>• Any wider areas for improvement or future consideration that emerge during the review.</li> </ul>

## **Out of Scope**

As a predominately 'light touch' Review, the scope does not permit in-depth exploration of areas such as, but not restricted to, finance, structure or governance. This is consistent with the recommended approach to such a Review, whereby some findings may indicate areas requiring deeper or wider attention. The need to address any such areas (where/if relevant) are included as recommendations of this Review.

It is also recognised that any recommendations suggesting significant change could require an Equality Impact Assessment or other appropriate assessments. This would be the responsibility of the Department.

## **1.6 Acknowledgements**

The Review Team wish to express their sincere thanks to Board and staff of the LRA and DfE who contributed to the review process. The information they provided and their co-operation greatly helped the completion of this report. In addition, the Review Team also appreciates the time and information provided by the broader stakeholder groups, individuals and comparators consulted throughout the process.

## 2. APPROACH

### 2.1 Introduction

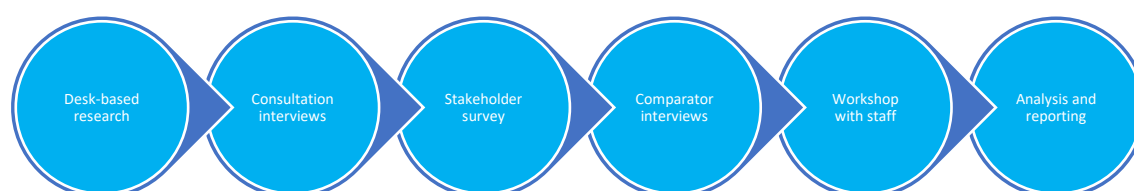
This section outlines the approach to the Review and key methods utilised. Rather than provide a complete breakdown of the expansive range of activity conducted as part of the Review, the focus is on reflecting the core elements of the methodology including desk-based research, stakeholder consultation, survey and comparator insights.

### 2.2 Approach to the Review

An evidence-based approach has been used within the Review, with extensive information gathering and analysis to inform the key findings and recommendations.

Key stages of the approach are outlined below:

**Figure 1. Approach**



### 2.3 Methods

#### Desk-Based Research

A wide range of documents were reviewed in preparation for consultations, including Annual Reports, Corporate Plans, Business Plans, individual strategies, Board documentation and governance reports such as audits. Departmental documentation was also reviewed including DfE Audit and Risk Assurance Committee (ARAC) reports and the 10x Strategy<sup>12</sup> and Delivery Plan<sup>13</sup>.

#### Stakeholder Consultation

The Review Team carried out wide ranging engagement with stakeholders. A full list of consultees is included at Appendix II. Key discussions were conducted with:

- DfE staff, including the Permanent Secretary, Head of the Management Services and Regulation Group, the Partner Team and relevant strategic and policy leads;
- LRA Chief Executive Officer (CEO) and Senior Leadership Team (SLT);
- LRA Chair and Board;
- LRA staff through a workshop;

<sup>12</sup> [A 10X Economy \(DfE\)](#)

<sup>13</sup> [10X Delivery Plan 2023/24 \(DfE, July 2023\)](#)

- 
- Other Government Departments and public bodies involved with the LRA; and
  - External stakeholders, including Manufacturing NI, Institute of Directors, NIPSA and the Northern Ireland Committee of the Irish Congress of Trade Unions (ICTU).

It should be noted that at the time of this Review the Northern Ireland Executive was suspended and it was not possible to gain the view of the Department's Minister.

### **Survey**

The Review Team designed a survey to obtain quantitative information from a wider range of stakeholders such as employers, employers' associations, trade unions, legal professionals and public bodies. This process was confidential and non-attributable and therefore there is no reference to specific individuals or organisations. The survey was issued to 650 stakeholders with 120 responses received (19% response rate). Survey analysis has informed this report, with full details in Appendix III.

N.B: Where the Report references 'consultees' this describes those engaged in person, while 'respondents' applies to those replying to the survey.

### **Comparator Organisations**

The Review Team carried out meetings with two comparator organisations which have similarities to the LRA: Acas in Great Britain and the Workplace Relations Commission in the Republic of Ireland.

Comparator insights can be found in Section 5.

## **2.4 Section Summary**

This section has provided an overview of the evidence-based approach to this Review which has informed the key findings and recommendations in the later sections. This is built on in Section 3 with a more detailed introduction to the LRA.

## 3. ABOUT THE LABOUR RELATIONS AGENCY

### 3.1 Introduction

This section provides an overview of key information about the LRA. This is designed to set the scene for this report with a foundation upon which further sections are built. While not an exhaustive list this includes an overview of the organisation (including legislative set-up); its vision; staffing and budget among others.

### 3.2 Overview of the LRA

The Labour Relations Agency (LRA) was established under the Industrial Relations (NI) Order 1976<sup>14</sup> (and re-enacted by the Industrial Relations (NI) Order 1992<sup>15</sup>).

The Agency's purpose is to improve employment relations, promote best employment practice and resolve workplace disputes through the delivery of high quality, impartial and independent services. Its main users are workers, employees, employers' associations, trade unions and other organisations and individuals requiring the Agency's assistance.

The Agency is classified as an executive Non-Departmental Public Body (NDPB) and funded by DfE. The Department "recognises the Agency in pursuance of its employment relations statutory duties and responsibilities is independent from Government where Government acts as an employer or as a party within the Northern Ireland employment relations system"<sup>16</sup>. Liaison between the Department and the Agency takes place through the Employment Relations Governance and Operations Branch as their Partner Team.

#### LRA Vision

"To be widely recognised as Northern Ireland's leading authority in promoting productive working relationships for the benefit of individuals and organisations and to support the creation of a thriving and inclusive economy"<sup>17</sup>.

#### Key Functions

- Taking steps to avoid trades disputes (Article 84);
- Providing facilities for collective arbitration (Article 84);
- Reviewing arrangements for collective bargaining (Article 86);
- Reviewing industrial relations training (Article 87);
- Conducting research into matters relating to industrial relations (Article 88);
- Publishing general advice on industrial relations matters (Article 89);
- Publishing Codes of Practice (Article 90); and
- Providing individual conciliation and individual arbitration under all relevant statutes (Article 84 & Article 96).

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<sup>14</sup> [Industrial Relations \(Northern Ireland\) Order 1976 \(legislation.gov.uk\)](#)

<sup>15</sup> [The Industrial Relations \(Northern Ireland\) Order 1992 \(legislation.gov.uk\)](#)

<sup>16</sup> [Management Statement and Financial Memorandum \(MSFM\)](#) (October 2019)

<sup>17</sup> [Vision | Labour Relations Agency - Official](#)



### 3.3 Leadership and Staffing

The LRA is operationally led by a Chief Executive who has overall responsibility for the Agency's performance.

At the time of publication the LRA had a headcount of approximately 65 staff across the organisation's headquarters in Belfast and their regional office located in Derry/Londonderry.

### 3.4 Budget

In 2023/24, the Agency was allocated an annual budget of £4.47 million comprising both core budget and NI Protocol funds<sup>18</sup>. Table 3 below provides an outline of budgets over the past three years, both opening and closing budgets are included as additional funds were allocated during the in-year monitoring process.

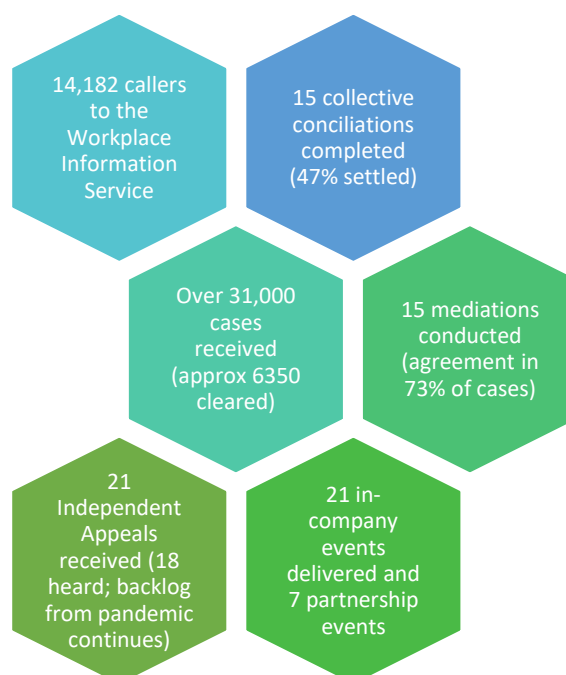
**Table 3. Budget over three year period**

Budget Area (£'000)	2021/22		2022/23		2023/24
	Opening	Closing	Opening	Closing	Opening
Core Resource	3,823	4,543	4,187	4,750	4,187
Core Capital	90	90	120	120	55
NI Protocol Resource	217	217	221	221	228
Total	4,130	4,850	4,528	5,091	4,472

### 3.5 Performance

Below provides examples of key performance indicators for the LRA during 2022-23<sup>19</sup>.

**Figure 2. Key Performance Indicators 2022-23**



<sup>18</sup> Source: DfE Divisional Accountant as at 13/06/2023

<sup>19</sup> [Labour Relations Agency Annual Report and Accounts 22-23](#)

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### 3.6 Board

In accordance with Schedule 4 of the Industrial Relations (Northern Ireland) Order 1992<sup>20</sup>, the Board of the LRA usually consists of a Chairperson and nine Members appointed by the DfE Minister. The Board has a tri-partite composition of employer, trade union and independent representatives. Two sub-committees are in place to ensure adequate oversight – the Audit and Risk Assurance Committee (ARAC) and the Finance and Personnel Sub-Committee; both meeting at least four times per year.

### 3.7 Key Services

Key services delivered include:

- Advisory services – providing an impartial and confidential employment relationships service (Workplace Information Service (WIS)) to employers, employer bodies, employees and workers in NI, as well as trade unions, HR and legal professionals. This includes providing advice on good employment practices and assistance with the development and implementation of employment policies and procedures. The Agency also offers a wide range of training seminars/webinars, briefing and workshops, as well as an online documents service.
- Dispute resolution – resolving disputes through conciliation (including early conciliation, post-claim conciliation and employer-led conciliation), arbitration (mostly independent appeals) and mediation services.

### 3.8 Section Summary

This section has provided an overview of the LRA, including purpose, functions, funding and Board structure. This has been outlined to give a basis for the subsequent sections and underpins the building of richer scene-setting in the next section which explores the Strategic Context.

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<sup>20</sup> [The Industrial Relations \(Northern Ireland\) Order 1992 \(legislation.gov.uk\)](https://legislation.gov.uk)

## 4. STRATEGIC CONTEXT

### 4.1 Introduction

It is important to acknowledge the strategic context within which this Review is being completed and within which the Agency operates. The Department and LRA work in a complex environment and it is neither possible nor desirable to detail all potential aspects of context. Rather, this section provides a selection of key contextual points that offer the most relevant context to this Review.

### 4.2 Context

#### **New Decade, New Approach**

The ‘New Decade, New Approach’ (NDNA) agreement<sup>21</sup> of January 2020 restored the NI Executive after a three-year suspension. The NDNA committed to establishing a multi-year Programme for Government, underpinned by a multi-year budget and associated legislative programme. NDNA also included areas of relevance for LRA regarding employment rights, including the commitment to the Executive becoming a Living Wage employer, a move to ban zero hours contracts and that powers to set minimum wage levels should be made a devolved matter.

The NI Executive agreed in December 2021 that a review of Arm’s Length Bodies (ALBs) should be conducted in accordance with the commitment made in the NDNA Agreement which outlines that “...the Executive will as a matter of priority take forward reviews of civil service reform, including procurement and appointment processes, public appointments and arm’s length bodies”. Further stating that the “review of ALB’s is...with a view to their rationalisation”.

The process requires individual Departments to progress tailored reviews for their ALBs and ultimately bring any significant recommendations for reform to the wider Executive for agreement.

Additionally, the Department of Finance (DoF) is also working on the development of a Public Bodies Bill to provide enabling legislation to allow Departments to reform their ALBs. Broadly speaking, the legislation is intended to provide powers to Departments to abolish, merge, or modify their ALBs in several ways, ensuring separate legislative changes are not required in every instance. At the time of reporting this bill was ‘on hold’ due to the ongoing suspension of the NI Executive.

#### **Programme for Government (PfG)**

The PfG<sup>22</sup> sets out actions to be taken forward in order to help to deliver improved wellbeing for all NI Citizens. The previous PfG expired in 2016 following which departmental Outcomes Delivery Plan (ODP) was delivered for departments to use as their strategic basis due to the collapse of the Executive in January 2017. The ODP, ‘Improving Wellbeing for All – by Tackling

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<sup>21</sup> [New Decade A New Approach \(2020\)](#)

<sup>22</sup> [Programme for Government \(PfG\) 2021](#)

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Disadvantage and Driving Economic Growth<sup>23</sup>, published in June 2018 contained 12 Outcomes, of which DfE had lead responsibility for three, outlined below:

- We prosper through a strong, competitive, regionally balanced economy;
- We are an innovative creative society where people can fulfil their potential; and
- We have more people working in better jobs.

As mentioned above, at the time of reporting NI Executive had been suspended since April 2022, and therefore a new PfG is yet to be agreed.

### **10X Economy: An Economic Vision for a Decade of Innovation**

‘10X Economy’, NI’s economic vision, was released in May 2021<sup>24</sup>. The concept embraces innovation to deliver a ten times better economy with benefits for all people in Northern Ireland. 10X is the core vision for DfE and is guided by objectives, grouped into three pillars of activity: innovation, inclusive growth and sustainability.

Before leaving office, the then Minister for Economy agreed a document setting out the next steps on 10X implementation<sup>25</sup>. This followed consultation on a 10X Performance Management Framework, which included both objectives and metrics for the implementation of 10X. The Department have indicated that in light of the current financial pressure and likely difficult budget settlement in 2023/24 activity will be prioritised based on whether, and to what extent, it contributes 10X objectives.

The Department have worked with Partner Organisations to ensure there is a clear line of sight between Partner Organisation Business Plans and the 10X objectives and metrics in 2023/24.

The most recently published 10X Delivery Plan 2023/24<sup>26</sup> sets out the actions to be taken by the Department and its Partner Organisations to move towards achievement of the 10X objectives by 2030. The work of the LRA is highlighted within this document in the following:

- As a partner body with statutory responsibilities that are fundamental to the operation of our economy and labour market.
- Referring to the LRA’s recent conference which highlighted the link between improved productivity and good employment practices, and the role of the Agency in promoting better work practices of job quality such as pay and benefits.
- Inclusive Growth action 8.3 to be led by the Agency, highlighting good practice in terms of supporting contemporary types of flexible working.
- Inclusive Growth action 8.4 with the Agency developing a Good Employment Charter to support employers in identifying ways in which they might improve the quality of jobs.

The LRA’s alignment to 10X is discussed further in Section 8.2.3.

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<sup>23</sup> [Programme for Government | The Executive Office](#)

<sup>24</sup> [A 10X Economy \(DfE\)](#)

<sup>25</sup> [10X Vision - Next Steps for Implementation \(DfE\)](#)

<sup>26</sup> [10X Delivery Plan 2023/24 \(DfE, July 2023\)](#)

## Societal and Economic Considerations

In recent years there have been a number of societal and economic challenges which have impacted and continue to impact the NI economy and the employment sector within which the LRA operates. While not a complete list, this includes the following:

### Differences in Employment Law in NI

When outlining the key aspects of NI specific employment law the CIPD website<sup>27</sup> states:

Whilst most employment rights will be the same in Northern Ireland as in Great Britain, there are key differences and the legal references used in relation to these rights (for example in employment contracts and in Compromise Agreements) may be different due to Northern Ireland-specific legislation. Since devolution of employment law powers to the Northern Ireland Assembly, we have seen a distinct divergence between employment laws in Northern Ireland and those in Great Britain.

In addition an overview of NI employment law published by Thomson Reuters in 2021<sup>28</sup> highlights that this divergence is “...likely to increase, partly because of a wish to find local solutions and partly because changes to the employment laws in Great Britain are often not approved by ministers and then the Northern Ireland Assembly to become policy”.

The Agency maintains a list of key legislative differences between Great Britain and NI.<sup>29</sup>

### NI Employment Statistics

- The total employment in Northern Ireland in September 2021 was 823,672<sup>30</sup>.
- The Service sector dominated employee jobs in Northern Ireland, accounting for 81% (644,469) of the overall total. The second largest industry was manufacturing with 86,703 jobs (11%), and together, they accounted for over 9 in every 10 employee jobs (92%) in Northern Ireland. The headline industry profile of jobs remained unchanged from 2020<sup>30</sup>.
- The private sector accounts for around three-quarters of jobs (excluding self-employed) in Northern Ireland.<sup>31</sup> In the UK, private sector jobs accounted for 82% of the total in September 2020<sup>32</sup>
- At the start of 2021 there were 4.9 million private sector businesses in England, 342,000 in Scotland, 207,000 in Wales, and 123,000 in Northern Ireland<sup>33</sup>
- The analysis shows that the public services sector reported higher proportions than the NI average for seven of the eight work quality indicators, and had the highest proportion of employees with earnings above the Real Living Wage (91%) and performing meaningful work (92%)<sup>34</sup>.

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<sup>27</sup> [Differences in GB & Northern Ireland Employment Law | Factsheets | CIPD](#)

<sup>28</sup> [Northern Irish employment law: overview | Practical Law \(thomsonreuters.com\)](#)

<sup>29</sup> [Key differences in employment law between NI and GB - April 2023 | Labour Relations Agency - Official \(lra.org.uk\)](#)

<sup>30</sup> [BRES 2021 publication \(NISRA\)](#)

<sup>31</sup> [NI Economy & Labour Market - A summary of key statistics \(NISRA\)](#)

<sup>32</sup> [BRES 2020 \(ONS\)](#)

<sup>33</sup> [Business population estimates for the UK and regions 2021](#)

<sup>34</sup> [Work Quality in Northern Ireland Statistics | Department for the Economy](#)

- Less than half (45%) of hospitality and retail employees had earnings above the Real Living Wage, compared to almost 80% of all employees in NI.
- In March 2023, the majority of businesses (89% or 70,795) in Northern Ireland were micro businesses (less than 10 employees). Just over 2% (1,655) of businesses had 50 or more employees<sup>35</sup>.
- The number of businesses operating in Northern Ireland increased by 0.4% over the year to March 2023. This marked the ninth consecutive year of increase following a period of decline from 2008 to 2014<sup>35</sup>.

### EU Exit

Article 2 of the NI Protocol provides commitment that the current protections currently in place in NI for the rights, safeguards and equality of opportunity provisions are not diminished as a result of the UK leaving the EU. The Equality Commission and NI Human Rights Commission established a Dedicated Mechanism Unit (DMU) in order to monitor compliance with Article 2. The LRA works in partnership with the DMU to provide information and expertise on general employment law matters such as gender pay gap reporting and other areas covered and impinged upon by Article 2. In addition, the Agency is a member of DfE's EU Exit Stakeholder Forum.

### Covid-19 Pandemic

A House of Commons publication<sup>36</sup> on how the pandemic affected industries and labour in the UK highlights that whilst Covid-19 restrictions have ended, "industries in the UK are experiencing the effects of the pandemic in different ways, but common to all industries is an increase in job vacancies". Additionally, the way employees and employers work and operate has been changed indefinitely by the pandemic the behaviours it produced and the trends it accelerated, hybrid working for example. An ONS publication<sup>37</sup> outlines that "most people who took up homeworking because of the coronavirus (Covid-19) pandemic plan to both work from home and in the workplace ("hybrid work") in the future, according to data from the Opinions and Lifestyle Survey (OPN)." Research from the Parliamentary Office of Science and Technology (POST)<sup>38</sup> on the impact of remote and hybrid working on workers and organisations highlights that "...supporting remote and hybrid working in the longer term will require supporting more inclusive approaches to remote working including more training and support to workers".

### Suspension of the NI Executive

As mentioned earlier in this section the NI Executive has been in suspension since early 2022. This has presented challenges, not least for the appointment of board members across ALBs, but also agreement of PfG and delays in setting of budgets among others.

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<sup>35</sup> [Northern Ireland business; activity, size, location and ownership, 2023 \(Department for the Economy\)](#)

<sup>36</sup> [How has the pandemic affected industries and labour in the UK?](#)

<sup>37</sup> [Is hybrid working here to stay? - Office for National Statistics](#)

<sup>38</sup> [The impact of remote and hybrid working on workers and organisations \(POST\)](#)

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### Cost of Living Crisis and Industrial Disputes

An ONS publication on the impact of strikes in the UK (June 2022 – Feb 2023)<sup>39</sup>, highlights that since 2022, the UK has experienced a wave of industrial disputes across a variety of industries, resulting in 2.472 million working days lost between June and December 2022, around 829,000 of which were in December 2022 alone. The same publication states that, in the UK, the highest number of working days lost because of labour disputes, as a proportion of the number of employee jobs in the region, was seen in Northern Ireland (129 working days lost per 1,000 employees).

Latest figures show that in June 2023<sup>40</sup>, approximately 160,000 working days were lost due to industrial action in the United Kingdom, this figure was 17,000 in June 2022<sup>39</sup>.

ONS cites that “recent labour disputes have occurred in the wider context of the UK’s rising cost of living. After accounting for inflation, the real value of regular wages fell by 2.5% on the year in October to December 2022”<sup>39</sup>.

The LRA Annual Report and Accounts 2022-23<sup>19</sup> highlights that while employers in the private sector have, in many cases, been able work with their unions to resolve pay disputes, this has been problematic in the public sector where resolution ultimately rests with politicians.

### **4.3 Section Summary**

This section has provided key context for this Review and the operations of the LRA. Areas outlined will be drawn upon in subsequent sections as part of the analysis and assessment of continued need, delivery models and wider opportunities for enhanced effectiveness and efficiency within the LRA. We now build on the strategic context to explore aspects of what is happening in Great Britain and the Republic of Ireland.

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<sup>39</sup> [The impact of strikes in the UK - Office for National Statistics \(ons.gov.uk\) \(June 2022-February 2023\)](https://www.ons.gov.uk/employment-and-labour-markets/employment-and-unemployment/bulletins/articles/2023-02-23-the-impact-of-strikes-in-the-uk)

<sup>40</sup> [Labour market overview, UK - Office for National Statistics \(ons.gov.uk\) \(August 2023\)](https://www.ons.gov.uk/employment-and-labour-markets/employment-and-unemployment/bulletins/articles/2023-08-01-labour-market-overview-uk)

## 5. COMPARATOR INSIGHTS

### 5.1 Introduction

This section gives an overview of how other jurisdictions seek to promote employment relations and provide dispute resolution and advisory services on employment matters.

The Review Team met with the two comparator organisations agreed:

- Advisory, Conciliation and Arbitration Service (Acas) in Great Britain; and
- The Workplace Relations Commission (WRC) in Republic of Ireland.



The analysis looks at both areas of commonality and key differences. It is cognisant that direct comparisons are not possible as these organisations have different status and staffing and the WRC has a broader range of functions. However, they are organisations operating in a similar sphere to the LRA and with aspects which are useful for overall comparison.

### 5.2 Comparator insights

The following table summarises the key insights from these organisations:

**Table 4. Comparator findings summary**

	Acas	WRC
<b>Status</b>	Acas is a Crown Executive NDPB sponsored by the Department for Business and Trade. Their budget for 2022/23 was listed as £60.3 million <sup>41</sup> .	WRC is an office of the Department for Enterprise, Trade and Employment. The Commission was created in 2015 when six bodies were merged into one. Their budget for 2022/23 is listed as €15.7 Euros <sup>42</sup> .
<b>Purpose</b>	Acas provide advice to employers, employees and their representatives on employment rights, best practice and policies and resolving workplace conflict.	The Commission provides a range of industrial relations services around preventing and resolving workplace disputes and disagreements involving groups of workers, individual workers, employers and their representatives.

<sup>41</sup> [Acas Annual Report and Accounts 2022-2023](#)

<sup>42</sup> [WRC Annual Report 2022-2023](#)



	Acas	WRC
<b>Functions</b>	<p>Acas is structured across:</p> <ol style="list-style-type: none"> <li>1. Dispute Resolution – including early conciliation, collective conciliation and arbitration</li> <li>2. Advice and Business Solutions – including the Acas helpline</li> <li>3. People</li> <li>4. Strategy and External Affairs</li> <li>5. Digital, Data and Technology</li> <li>6. Finance and Governance</li> </ol>	<p>The Commission is structured across five divisions:</p> <ol style="list-style-type: none"> <li>1. Conciliation, Advisory and Mediation Service – this provides similar functions to the LRA</li> <li>2. Information, Inspection and Enforcement Division – the Information and Customer Service telephone service is similar to the LRA Workplace Information Service. However, no inspection or enforcement equivalent is within the LRA’s remit in NI.</li> <li>3. Adjudication Services Division – this is a function not comparable within the LRA, with the exception of the Independent Appeals function for the LRA.</li> <li>4. Corporate, Strategy and Digital Services Division</li> <li>5. Legal Directorate Division</li> </ol>
<b>People and governance</b>	<p>Acas employs approximately 1000 staff, with 500 staff within the Dispute Resolution directorate. Restructuring has taken place in recent years to move to a service led model.</p> <p>Acas’ Board, like the LRA, has a tripartite structure of employer, trade union and independent representatives.</p>	<p>Within the structure above the Commission employ approximately 210 staff as civil servants and an additional 42 adjudication officers to deliver its functions. The Conciliation, Advisory and Mediation Services Division has approx. 28 staff.</p> <p>The WRC has an advisory board responsible for setting the WRC’s three-year Strategy and annual Work Programmes.</p>
<b>Service delivery</b>	<p>In 2022-23<sup>43</sup>:</p> <ul style="list-style-type: none"> <li>• 649,000 callers to the helpline</li> <li>• Over 600 collective conciliations were managed (91% settled)</li> <li>• 105,000 early conciliation notifications and over 32,000 tribunal claims were received (77% positively resolved)</li> <li>• 41,000 delegates took part in online training courses and 23,000 joined webinars</li> </ul> <p>Mediation, some training and business support services are charged for, with £4.3 million of income generated in 2022-23.</p>	<p>In 2022-23<sup>44</sup>:</p> <ul style="list-style-type: none"> <li>• 59,700 callers to the Information Service</li> <li>• 5,820 employment rights inspection visits took place</li> <li>• 4,250 adjudication hearings held</li> <li>• Conciliation Service resolved 88% of disputes</li> </ul> <p>All services are free of charge.</p> <p>The Conciliation, Advisory and Mediation Services Division includes outreach work to drive best practice and positive working relationships, including through workplace relations reviews within organisations.</p>

<sup>43</sup> [Acas Annual Report and Accounts 2022-2023](#)

<sup>44</sup> [WRC Annual Report 2022-2023](#)

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Key findings from comparators include:

- There is commonality in the key functions of both the LRA and Acas, with a focus on dispute resolution and advisory services. In WRC these are also a core part of the organisation, but the Commission has a wider range of functions covering inspection, enforcement and adjudication which are not seen, or carried out within the other jurisdictions.
- All services provided by the LRA and WRC are free of charge. In Acas some of their income is generated from charges for mediation, forms of training and business support services (generating £4.3 million in 2022-23).
- In line with the size of the jurisdictions, both comparators are larger in size than the LRA – 65 staff in the LRA, 220 in WRC, and 1000 in Acas. Both comparators are staffed by civil servants, though with different statuses as organisations (Acas as a Crown Executive NDPB; WRC as an office of the Department for Enterprise, Trade and Employment, though with operational independence in delivering their functions).
- Some differences in demand were reported across the comparators in the area of collective conciliation, with a decline noted by WRC, while an increase in collective disputes was reported by the LRA with recent public sector strike action.
- As the closest comparator in terms of functions provided, Acas noted useful learning from their experience of implementing early conciliation and from their focus in recent years on improving technology and data analytics. WRC similarly noted work to improve their own technology in recent years. Both reported a positive working relationship with the LRA, including knowledge sharing in such areas.
- Both comparators spoke about proactive work to improve employment relations. As an example, while small in volume, WRC’s Conciliation, Advisory and Mediation Division provide workplace reviews where relations have broken down to look at practices and provide advice, recommendations and support in overseeing changes.

### 5.3 Section Summary

This section has provided a short overview of two comparator organisations considered during the Review, looking at similarities and differences to the LRA. Where appropriate, information from this comparison exercise is drawn on in the findings and recommendations.

## 6. CONTINUED NEED

### 6.1 Introduction

This section provides an overview of key findings and provides a ‘light touch’ analysis and assessment on continued need. Given the extensive consultation undertaken, it is important to note that this section involves a short synopsis of information gathered, providing an overview of the central themes arising which relate to continued need.

### 6.2 Findings on Continued Need: Ministerial Perspective

Preceding, and for the duration of, the Review, the NI Executive has been suspended and it was not possible to ascertain the views of the Department’s Minister. That said, it is important to acknowledge that historically the DfE Minister provides an annual ‘sign-off’ to the LRA’s Business Plan. As such, this ensures the LRA receives both continued commitment and direction from the Minister. It had been suggested to the Review Team during consultation that previous DfE Ministers had been supportive of work of the LRA and were content that a continued need existed.

### 6.3 Findings on Continued Need: Departmental Perspective

To obtain Departmental perspectives, the Review Team consulted across the Partner Team, policy teams and strategic leads, up to Permanent Secretary level. The consensus of DfE personnel is that there is a strong continued need for LRA for the foreseeable future. An overview of key consultation findings is provided below:

**Table 5. Departmental Perspective on Continued Need**

Area	Findings
<b>Strengths of the LRA</b>	<ul style="list-style-type: none"> <li>• Consultees referred to the LRA as recognised and credible, highlighting that their independence and role as an “honest broker” was vitally important to their ability to deliver dispute resolution and advisory functions.</li> <li>• Many highlighted the composition and membership of the LRA Board as a key strength, with its tri-partite nature allowing them to offer informed and balanced opinions and increased the credibility of the organisation.</li> <li>• There was broad recognition that the LRA is uniquely positioned to bring together employers and trade unions which was viewed as particularly important in the current climate of more strained industrial relations with increased strike action seen across the public sector.</li> </ul>
<b>Alignment to Departmental priorities and objectives, including the 10X Strategy</b>	<ul style="list-style-type: none"> <li>• With regards to the 10X Strategy, there was consensus that the LRA have an important role to play in ‘Inclusive Growth’ through helping to make employment more inclusive and supporting the creation of good quality jobs. Consultees highlighted the alignment between the 10X Strategy and the LRA’s role in promoting good employment relations and a good workplace environment.</li> </ul>

Area	Findings
	<ul style="list-style-type: none"> <li>• Additionally, it was put to the Review Team that the LRA, through their direct engagement with employers, trade unions and directly with employees/workers, provide useful insight to the Department on emerging employment and legislation issues, for example identifying the impacts and risks for NI where areas of employment law diverge following EU Exit.</li> </ul>
<b>Impact if the current functions did not continue</b>	<ul style="list-style-type: none"> <li>• Consensus showed that without the LRA’s dispute resolution function there would be a considerable increase in tribunal cases, beyond the demand which the Office of the Industrial Tribunals and Fair Employment Tribunals (OITFET) could manage. This would have an adverse impact with costs to the public purse, businesses and the wider economy.</li> <li>• Without the advisory functions of the LRA, DfE could see increased demand for advice on employment issues which could not currently be met within the Department, as well as potential for reduced compliance with legislation by employers where advice is not easily accessible.</li> <li>• The expertise of the LRA in employment matters often arose as a strength of the Agency and its staff. Loss of this was viewed as having a negative impact on employment in NI, with employers less aware of relevant NI employment legislation and best practice, and employees less able to access quality advice.</li> </ul>

The overall consensus from the Department is there is a continued need for the LRA and their advisory and dispute resolution functions, with consultees highlighting the various adverse impacts on the NI economy if the LRA did not exist.

#### 6.4 LRA Perspective

The perspectives provided by LRA Board, the SLT and staff representatives were that the continued need for the Agency is clearly evident. An overview of findings is provided below:

**Table 6. LRA Perspective on Continued Need**

Area	Finding
<b>Strengths of the LRA</b>	<ul style="list-style-type: none"> <li>• It was put to the Review Team that the LRA is highly respected across a wide range of sectors and valued for their expertise on employment issues, in particular their NI specific knowledge which consultees highlighted as key should NI continue to diverge from Great Britain in areas of employment law. Additionally, and in line with Departmental views, the LRA view their impartiality as a key strength and vital to the delivery of their functions.</li> <li>• Consultees noted that the need for the LRA and its relevance continues to grow due to emerging economic issues, namely with a current cost of living crisis and an increase in strike action</li> </ul>

Area	Finding
	<p>seen in the public sector (the latter thus increasing demand for the LRA's collective conciliation services).</p> <ul style="list-style-type: none"> <li>• Consultees highlighted the LRA's unique offering, with all services provided free of charge and accessible across employers, trade unions and employees.</li> </ul>
<p><b>Alignment to Departmental priorities and objectives, including the 10X Strategy</b></p>	<ul style="list-style-type: none"> <li>• Regarding the 10X Strategy, consultees saw clear alignment given the LRA's role in promoting better work practices and inclusive working environments. Consultees cited recent research commissioned by the organisation on 'Estimating the Cost of Workplace Conflict in NI'<sup>45</sup>, which highlights the link between improved productivity and good employment practices, which support the NI economy.</li> <li>• The Agency have strong links to the DfE Employment Regulation team, regularly supporting on development of employment legislation. The expertise available, alongside the Agency's access to on-the-ground views of a wide cross-section of stakeholders, was felt to be an asset in informing policy and legislation.</li> <li>• The Review Team found that the LRA's collaboration extends across other Departments and includes partnerships with other public bodies to support wider priorities, for example providing input to the Ending Violence Against Women and Girls Strategy led by The Executive Office (TEO) and the Childcare Strategy led by the Department of Education (DE).</li> </ul>
<p><b>Impact if the current functions did not continue</b></p>	<ul style="list-style-type: none"> <li>• Similar to the Departmental findings, the LRA cited that a substantial increase in tribunal claims would be expected in the absence of the LRA's dispute resolution function, including less cases being resolved during the process/prior to hearing.</li> <li>• Consultees highlighted that employees and employers, particularly small to medium-sized enterprises (SMEs), would have less access to employment relations advice in their absence, including training, or would be required to seek professional legal advice at cost. For employers, less accessible knowledge could see reduced compliance with employment legislation. For employees, consultees highlighted that without the free services of the LRA that it may limit employee access to advice on employment matters, with many unable to pay for legal advice and pose a negative impact on inclusivity in employment.</li> </ul>

Above highlights the overarching view of continued need for the organisation and its functions. Themes emerge across the Departmental and LRA perspectives on the strong alignment of the Agency to the 10X Strategy<sup>12</sup> through their role in promoting inclusive employment practices, and in the value the LRA offer.

<sup>45</sup> Estimating the Costs of Workplace Conflict in Northern Ireland (R, Saundry and P, Urwin. Centre for Employment Research, University of Westminster, September 2023)

## 6.5 Wider Stakeholders Perspective

The Review approach involved extensive qualitative discussions and a quantitative survey to obtain a wide range of stakeholder views across: employers; trade unions; other Departments, public bodies; and other external stakeholders.

The prevailing view from discussions was that the LRA play a key role in improving employment relations in NI, with the organisation viewed as experts in the field and their importance as an impartial third party highlighted consistently. Furthermore, NI specific knowledge of employment legislation and case law was viewed as an important element of the LRA’s offer and noted by several consultees as increasingly relevant post-EU Exit, where further divergence from Great Britain’s employment law framework can be seen.

When asked as to the impact if the services of the LRA did not exist, 85% of respondents highlighted negative impacts should the LRA’s services not exist (see Figure 3 below). This applied across both the dispute resolution services of the LRA, for example, respondents felt disputes would worsen or not be resolved and the advisory services of the Agency citing less access to NI specific employment knowledge or to good practice on employment relations. This was consistent with qualitative discussions with external stakeholders, as well as the Departmental and LRA perspectives discussed above.

**Figure 3. Survey Response on Impact if the Services of the LRA did not exist**

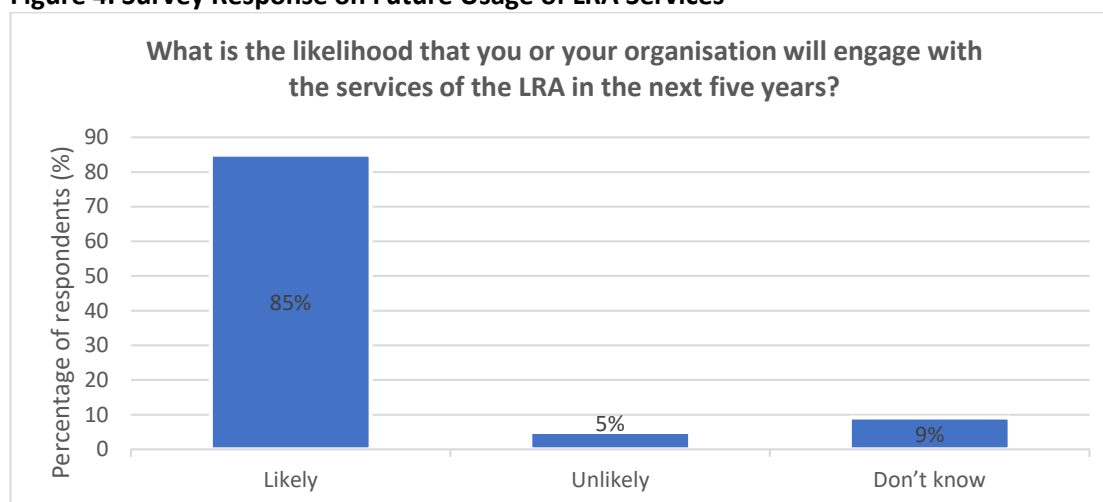


It was clear through consultation that the LRA has impact across government Departments. In particular a number of consultees highlighted the invaluable work of the LRA during the Covid-19 pandemic through their facilitation of the NI Engagement Forum on Covid-19, bringing employers, trade unions and other bodies together to agree and provide advice on Covid-19 matters in the workplace and the labour market. Consultees often pointed to the ability of the Forum to successfully deliver because of relationships established through the LRA and the Agency’s ability to skilfully chair this forum in a trying time. In the opinion of one stakeholder “the LRA was the only place that could provide the necessary independence and command respect from all parties because of their impartiality and even handedness”. Overall, there was a view from consultees that had the LRA not stepped into this facilitation role during the

pandemic “there would have been massive conflict in the labour market and the wider economy”.

In wider discussions, stakeholders saw a continuing need for the LRA in future, with employers and trade unions anticipating an ongoing relationship with the Agency and/or the need to utilise their advisory or dispute resolution services in future. Survey respondents reported they were ‘likely’ or ‘very likely’ to engage the services of the LRA in the next five years (see Figure 4 below). This is regarded as a positive indicator for continued need.

**Figure 4. Survey Response on Future Usage of LRA Services**



In summary, external stakeholders were overwhelmingly positive about the functions the LRA provide and their contribution to employment relations in NI, pointing to positive examples of the Agency’s impact through chairing the NI Engagement Forum during Covid-19, and foreseeing a future need for the services of the LRA in the next five years.

## 6.6 Legislative Perspective

The Labour Relations Agency (LRA) was established under the Industrial Relations (NI) Order 1976 (and re-enacted by the Industrial Relations (NI) Order 1992<sup>46</sup>) with a duty “to promote the improvement of employment relations in Northern Ireland”.

The statutory functions of the Agency are detailed under the following:

- The Industrial Relations (Northern Ireland) Order 1992 (Consolidated);
- The Trade Union and Labour Relations (Northern Ireland) Order 1995;
- The Industrial Tribunals (Northern Ireland) Order 1996;
- The Employment Rights (Northern Ireland) Order 1996,
- The Employment Rights (Dispute Resolution)(Northern Ireland) Order 1998;
- The Fair Employment and Treatment (Northern Ireland) Order 1998;
- The Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) (Amendment) Regulations 2014;
- The Employment (Northern Ireland) Act 2016; and
- The Industrial Tribunals and Fair Employment Tribunal (Early Conciliation: Exemptions and Rules of Procedure) Regulations (Northern Ireland) 2020

<sup>46</sup> [The Industrial Relations \(Northern Ireland\) Order 1992 \(legislation.gov.uk\)](https://legislation.gov.uk)

The Agency and many of its functions are established in legislation, including more recent legislation (Employment Act (NI) 2016<sup>47</sup>) placing responsibilities on the LRA relating to Early Conciliation. While this does not preclude changes being made to an ALB, given the strong consensus from consultees on the continued need for the LRA, this need is also underpinned by legislation which places statutory duties upon the Agency to continue its provision.

## 6.7 Analysis on Continued Need

From the analysis of all information gathered on continued need, it is the consensus of the Review Team that the LRA has a strong reputation amongst employers, trade unions and wider public bodies, offering a valuable service in promoting and improving employment relations in NI. The LRA operates in a complex arena of employment relations, including keeping abreast of divergence of NI from Great Britain's employment law, evolving trends regarding diversity and inclusion in the workplace, as well as emerging societal issues, such as the cost of living crisis, and business trends, including hybrid working.

The Review Team recognise that both historically and currently the LRA have been instrumental in leading on good practice and the provision of timely and accurate advice on these issues for stakeholders in NI. Indeed, when asked "what, if any, would the impact be to you or your organisation if the services of the LRA did not exist", 52% of survey respondents cited 'less access to NI specific knowledge', the highest total response against any of the issues listed.

Additionally, it was clearly identified by consultees across the groups, that were the LRA to no longer to exist that other organisations, namely DfE and OITFET, would not currently have the capacity, and in some instance the capability, to manage demand for the continuation of necessary functions. This would have adverse impacts with costs to the public purse, businesses and the wider economy.

The analysis points to continued demand for the services of LRA in the foreseeable future, for example in NI specific knowledge if there is continued deviation between NI and Great Britain's employment legislation.

The Agency is seen to be adept in acting as an "honest broker" between employers and trade unions/employees, to deliver against its remit and provide impartial advice and dispute resolution services. This role was seen in particular, through the NI Engagement Forum on Covid-19, which was noted frequently in consultations as a positive example of the Agency's ability to bring parties together and work to achieve consensus in a time of crisis.

Support for continued need has been seen across the Department, from the Partner and policy teams, to Permanent Secretary level. The Review Team see clear alignment between the role of the LRA and the 10X Strategy's<sup>48</sup> 'Inclusive Growth' objective (explored further in Section 8.2.3). This is seen in practice in the recently published 10X Delivery Plan<sup>49</sup> with specific actions for the LRA on highlighting good practice on flexible working and development of a Good Employment Charter. The Review Team support the view that the LRA's specialism in employment matters will be important in supporting DfE's strategic priorities going forward.

Finally, continued need is also underpinned by legislation which places statutory duties upon the Agency to continue its provision.

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<sup>47</sup> [Employment Act \(Northern Ireland\) 2016](#)

<sup>48</sup> [A 10X Economy \(DfE\)](#)

<sup>49</sup> [10X Delivery Plan 2023/24 \(DfE, July 2023\)](#)



Overall, the analysis shows there to be clear need and anticipated future need for the functions of the LRA.

#### **6.8 Assessment on Continued Need**

Given all the information and analysis above, it is the view of the Review Team that a continued need for the LRA exists and is likely to continue to exist into the foreseeable future. This can be assessed again at the next review point (3-5 years) or earlier if circumstances change significantly.

#### **6.9 Section Summary**

This section has explored continued need for the LRA and identified a clear requirement for the Agency's functions. This is reflected in the views of a wide cross section of consultees. The most appropriate delivery model for these functions will be considered in the next section.

## 7. APPROPRIATENESS OF THE DELIVERY MODEL

### 7.1 Introduction

This section builds on the assessment of continued need for the LRA by providing a light touch analysis of the current delivery model, alongside a brief review of alternative models. This includes assessment against the ‘three tests’ for continuation as an NDPB in line with guidance.

### 7.2 Alternative Delivery Models

In line with guidance the Review Team considered each of the following delivery models that are recommended for consideration when conducting this form of review. Three models were shortlisted for further analysis, as below – abolish; bring in-house; and merge with another body.

**Table 7. Shortlisting of Alternative Delivery Models**

Delivery Model	Shortlist for analysis?	Rationale
1. Abolish	Yes	This model requires consideration to understand the impact if the organisation and its functions did not exist.
2. Move out of central government	No	The work of the LRA supports Departmental objectives, including the 10X Strategy, as well as wider government objectives. Movement to local government, voluntary or other sectors is not viewed as a viable option and no existing similar provision was identified in these sectors.
3. Commercial model	No	A commercial model was not viewed as appropriate in line with the legislative basis of the LRA. There was no appetite from either the Department or the LRA to move to a commercial model with charges for services. It was identified that this could present a barrier to accessing employment relations advice particularly for employees and SMEs.
4. Bring in-house	Yes	This model will be assessed further, looking at the rationale for independence compared to in-house delivery.
5. Merge with another body	Yes	This is briefly explored in line with the NDNA <sup>50</sup> intention to consider any opportunities to rationalise public bodies.
6. Less formal structure	No	Given the legislative remit and technical expertise required to deliver statutory functions such as dispute resolution, a less formal structure is not regarded an appropriate option.

<sup>50</sup> [New Decade A New Approach \(2020\)](#)

### 7.3 Option 1: Abolish

Given the analysis in Section 6, the Review Team have provided a view supporting the continued need of the LRA and its functions. As discussed previously consultees and survey respondents gave a strong consensus that, should the LRA's services not exist, there would be potential negative consequences for businesses, individuals and the wider economy.

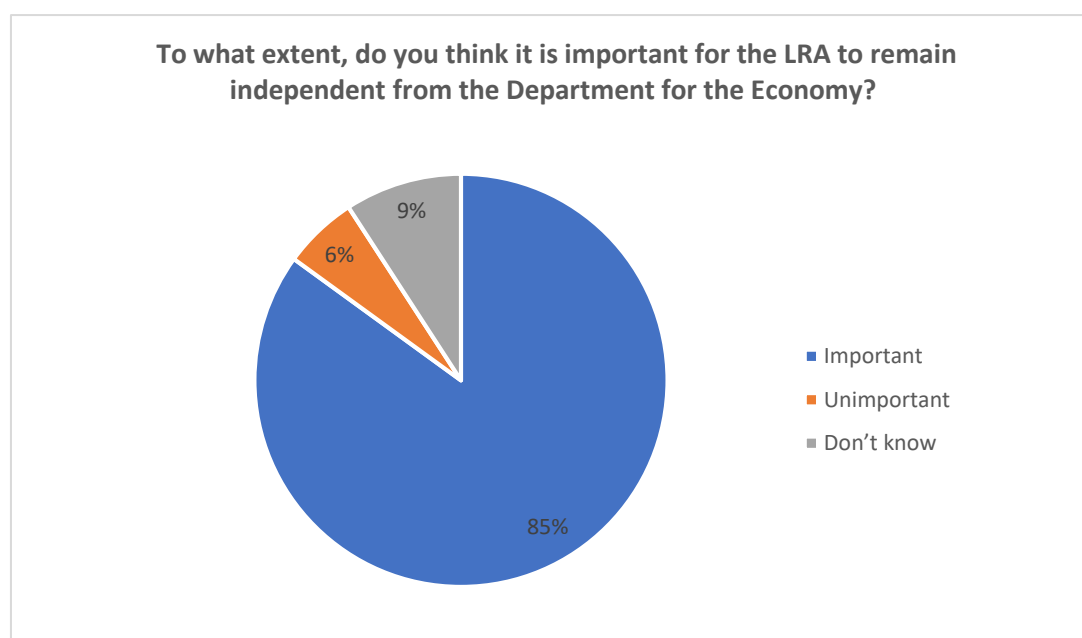
In addition, there was a clear indication of future need for the Agency's dispute resolution and advisory services, as well as its ongoing contribution to Departmental objectives, namely 10X, and provision of technical expertise to the Department on aspects of employment law. With continued need established, including a statutory basis for the functions of the LRA, it is clear that, should the LRA not exist, the functions would still need to be delivered. The Review Team therefore concludes that abolishing the LRA or its functions is not a viable option.

### 7.4 Option 4: Bring In-House

This option involves bringing the functions of the LRA in-house to be delivered by DfE personnel.

Within the Department consultees supported the need for the LRA to be impartial to successfully perform their functions. Consensus showed there is value in the LRA's position as independent from government with the Agency able to act as a neutral party in disputes in order to balance employer and employee views and provide appropriate employment relations advice. This aligns with the wider view of the LRA as an "honest broker" from across the consultee groups, including survey respondents who viewed the LRA independence from DfE as important (see Figure 5 below).

**Figure 5. Survey Response on Independence of the LRA**



Both advisory and dispute resolution work within the LRA can include NICS Departments and the wider public sector as the 'employer'. As such there is a reasonable case for the LRA's independence in order to deliver their role as a neutral party and ensure credibility with employees and trade unions where disputes arise within the public sector.

Furthermore, both the Department and the LRA discussed the need for the LRA's expertise in areas of employment law and input to the Department in legislation development. Through the delivery of their range of functions, the LRA are specialists in employment relations and therefore provide greater knowledge and expertise than would be available within a government department. Both DfE and the LRA viewed the NDPB status as positive, giving separation between those developing legislation and those providing advice to employers and employees on the application of employment legislation. Furthermore, as an independent body, the LRA has the flexibility to widen their advice to incorporate best practice on a range of topics in the field of employment relations and provide credibility to discussions on good practice.

Consideration of comparator organisations highlight that Acas and WRC have some differences in terms of status and their staffing models compared to the LRA. Both comparator organisations are staffed by civil servants, though Acas remains fully independent from the Department whilst the WRC have operational independence. As a light-touch Review the Review Team were not able to explore in any detail the effectiveness of these models in their respective jurisdictions. Additionally, within scoping and through consultations, it was apparent that there was no appetite to bring the LRA functions in-house, with no issues cited by either the Department or the LRA regarding the current delivery model and status.

In conclusion, it is the view of the Review Team, given that impartiality and expertise are consistently highlighted as key strengths of the LRA, that these would be significantly impacted by being brought within a Government Department. In particular, the impartiality needed in order to effectively conciliate disputes within the public sector would be at risk if this function was operating in-house. As such, the continued existence of the LRA as a separate body to the Departments passes the 'three tests' review set out at Section 7.6. Considering all of the above, it is the Review Team's assessment that this model is not a desirable option.

## **7.5 Option 5: Merge with Another Body**

Mergers can be a viable option where there are other organisations with significant service overlap or other synergies. There can be benefits in merging different organisations, with potential savings in support costs, accommodation and senior management.

In 2015 Ireland drew together various bodies in the employment field establishing the Workplace Relations Commission to assume the roles and functions previously carried out by five other bodies: the National Employment Rights Authority (NERA); Equality Tribunal (ET); Labour Relations Commission (LRC); Rights Commissioners Service (RCS); and the first-instance (Complaints and Referrals) functions of the Employment Appeals Tribunal (EAT).

Using this as a comparator the Review Team note that, within Northern Ireland, there are a number of public bodies and functions which operate in the area of employment:

- The Labour Relations Agency;
- The Certification Officer for Northern Ireland – responsible for ensuring that trade unions and employer's associations comply with statutory provisions;
- The Industrial Court – responsible for adjudicating on Trade Union recognition and collective bargaining;
- The Office of Industrial Tribunals and Fair Employment Tribunal – a part of DfE responsible for facilitating employment tribunals, and the Industrial Tribunals and Fair Employment Tribunal itself as independence judicial bodies;

- The Employment Agency Inspectorate – a part of DfE responsible for the regulation of the private recruitment sector which is based in NI; and
- The Equality Commission for Northern Ireland – an independent body which oversees equality and discrimination law in NI. There are some linkages between the LRA and the Equality Commission, namely on matters of workplace discrimination. However, potential overlap is narrow and the organisations can have competing mandates in respect of tribunal cases.

The bodies above are viewed to be separate and delivering distinct functions, though with synergies seen between the LRA and OITFET in terms of the tribunal process and LRA’s role in dispute resolution alongside this. In considering efficiencies it is noted that, in line with legislation, the LRA provides necessary staff and corporate support services to the Certification Officer. In addition, at the time of writing, it is likely the Secretariat function of the Industrial Court will also be incorporated within the LRA in the near future. It is the Review Team’s view that the provision of support services to the Certification Officer and Industrial Court is currently the most feasible means to rationalise resources rather than any wider mergers.

Initial findings from scoping indicated no significant appetite for merging bodies, therefore the Review Team have considered alternative models proportionate to the light-touch nature of this Review. At this stage there is no indication that merging the LRA or its functions with other bodies would be feasible or desirable. As such the Review Team conclude merger is not a recommended delivery model for now and the foreseeable future. This would not prevent a more holistic consideration of delivery in this sphere in the future.

## 7.6 The ‘Three Tests’ and Continuation as an NDPB

In line with guidance, at least one of the ‘three tests’ must be met to recommend continuation of a NDPB. The assessment below is based on consultation and survey findings alongside the Review Team’s own independent assessment.

**Table 8. Three Tests Assessment**

Test	Assessment
1. Is this a technical function for which external expertise is needed?	<p><b>Met</b></p> <p>There is a clear requirement for external expertise and knowledge of employment relations to effectively deliver dispute resolution and advisory functions. The Department value the technical functions delivered by the Agency which they also draw on to provide input to policy teams on the development of legislation. It is therefore the view of the Review Team that the LRA fully meets this test.</p>
2. Is this a function which needs to be, and be seen to be, delivered with absolute political impartiality?	<p><b>Met</b></p> <p>The nature of the LRA’s work requires political impartiality to ensure the engagement of both employers and employees/trade unions in dispute resolution and to provide credibility to their provision of advice. In addition, given that NICS Departments and the wider public sector can be involved in employment disputes, the Agency needs to have political impartiality. It is the view of the Review Team that impartiality underpins the remit, work and credibility of the LRA and that this test is fully met.</p>

Test	Assessment
3. Is this a function which needs to be delivered independently of Ministers to establish facts and/or figures with integrity?	<b>Not Met</b> Whilst the LRA is an official provider of statistics, this is not a core part of the business and it is not essential that this function is delivered independently of Ministers.

### 7.7 Recommendation on the Appropriate Delivery Model

With the establishment of continued need and at least one of the three tests met the Review Team’s assessment, following analysis of all the information gathered, is that the LRA’s current status as a NDPB firmly remains the most appropriate delivery model.

This status provides a model to support sufficient separation from the Department in order to offer independence and flexibility, while ensuring the LRA can work across other Departments and the public sector with credibility as well as alignment with wider governmental objectives (including 10X Strategy) and supporting effective consideration on the achievement of outcomes.

Continuation as a NDPB also offers a similar delivery model as Acas (an Executive NDPB) in Great Britain, as the closest comparator organisation for the LRA with similar responsibilities and functions.

As outlined above two of the ‘three tests’ are met and the Review Team consider that departmental sponsorship supports the achievement of these. The Review Team therefore conclude that the functions currently performed by the LRA should continue to be carried out at arms-length from government.

#### Recommendation 1

The Review Team recommend that the current NDPB delivery model should be retained.

### 7.8 Section Summary

This section provides the Review Team’s consideration of alternative delivery models. The main conclusion is that the current model remains the most appropriate and this is recommended for continuation. The following sections will explore further any opportunities for enhanced effectiveness and efficiency within the LRA.

## 8. OPPORTUNITIES FOR ENHANCED EFFECTIVENESS AND EFFICIENCY

### 8.1 Introduction

This section focuses on assessing the purpose and strategic direction of the LRA, exploring alignment to Departmental priorities, performance and the impact the Agency has within NI. In line with guidance on the review of public bodies: governance and accountability, staffing and structure and areas for improvement are explored in a light touch manner, as per the Terms of Reference – as based on the outputs from scoping.

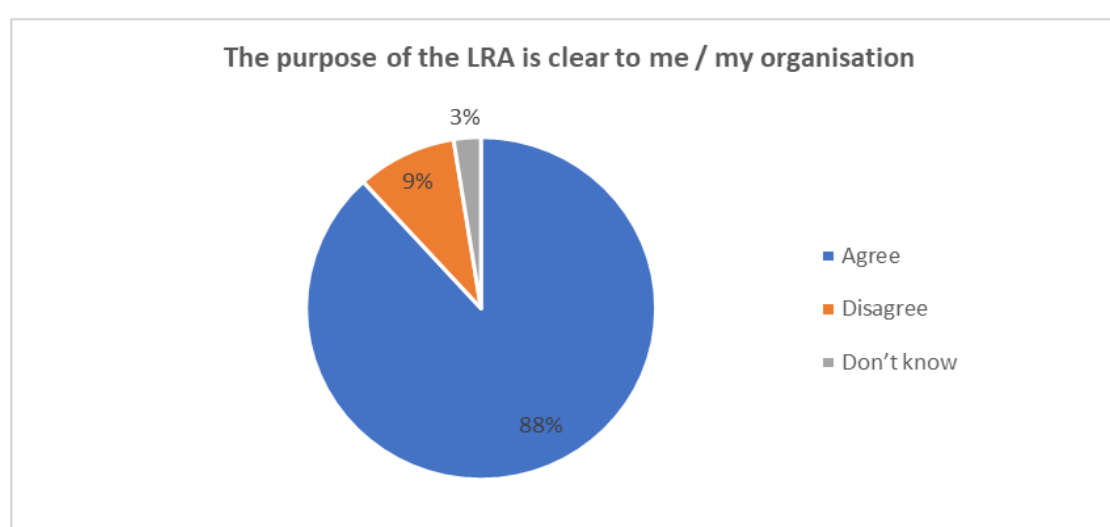
### 8.2 Purpose and Strategic Direction

#### 8.2.1 Purpose

The LRA’s purpose is to “improve employment relations, promote best employment practice and resolve workplace disputes through the delivery of high quality, impartial and independent services”<sup>51</sup>. In assessing purpose, key areas to consider are the continued relevance of the stated purpose, whether the purpose is well understood by stakeholders and alignment between an ALB’s purpose and the wider Departmental priorities.

From information gathered during this Review, the Review Team see evidence that the LRA’s purpose is relevant and in line with the assessment of continued need outlined in Section 6. In terms of stakeholder understanding of the purpose, most survey respondents reported that the purpose is well understood, as seen in Figure 6 below. Though it is worth noting that those surveyed were from the LRA’s stakeholder list and thus may have more contact with the Agency and possess a greater general awareness of its services. It also is not insignificant that 12% of stakeholder respondents either did not feel the purpose was clear or indicated that they didn’t know.

**Figure 6. Survey Responses on the Purpose of the LRA**



<sup>51</sup> [Purpose | Labour Relations Agency](#)

Within the Department there was a greater consistency in terms of clarity on the purpose and a strong alignment was seen between the LRA's purpose and the 10X Strategy, with an emphasis on promoting best practice evident in the recent 10X Delivery Plan<sup>52</sup>. However, a small number of consultees, both external and from within the Department, felt that people may associate the Agency more closely with their dispute resolution functions and not be fully aware of the wider work and services they perform. LRA consultees discussed with the Review Team the Agency's current Transformation Programme (outlined further below) which will see greater emphasis on the first elements of the purpose (improving and promoting) and changes in the organisational structure.

Overall, the Review Team find the LRA's purpose remains relevant to their key areas of work, is well connected with Departmental priorities in the 10X Strategy, and is supportive of the current changes in the organisation to allow for greater emphasis on promotion of best practice and opportunities for dispute prevention.

### 8.2.2 Strategic Direction

The LRA's Corporate Plan<sup>53</sup> provides clear strategic objectives for the period 2021-2025, including performance scorecards aligned to the Outcomes-Based Accountability (OBA) approach within PfG.

Underpinning the Corporate Plan, the Agency have developed five strategies to further deliver against their objectives:

- People Strategy;
- Equity, Diversity and Inclusion (EDI) Strategy;
- Communications Strategy;
- Information Systems (IS) Strategy; and
- Business Intelligence (BI) Strategy

The individual strategies are operationalised through annual action plans, with reporting into the Finance and Personnel Sub-committee.

It is clear that the LRA have recognised areas to continue to develop within the organisation and have set strategic intent across these. These strategies positively align to and support the wider direction for the organisation. In assessing the current strategies, the Review Team are aware from discussions with the LRA that the strategies are designed to feed upwards into the Corporate Plan and as such there is not yet a clear joined up approach across the five strategies themselves. There are notable interdependencies across the strategies, for example the IS Strategy is a key enabler for the design and delivery of other strategies such as the Business Intelligence Strategy. However, with the current IT systems' limitations and resourcing constraints within the LRA, the BI Strategy has been unable to progress beyond strategic intent at this point. This also has potential to have a knock on impact on the successful delivery of other strategies, for instance the Communications Strategy.

The Review Team believes that there is potential to improve in this area through greater identification of alignment across the LRA's suite of strategies and the interdependencies which may support or pose risks to the overall successful delivery of the Corporate Plan.

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<sup>52</sup> [10X Delivery Plan 2023/24 \(DfE, July 2023\)](#)

<sup>53</sup> [Corporate Plan 2021-25 | Labour Relations Agency](#)



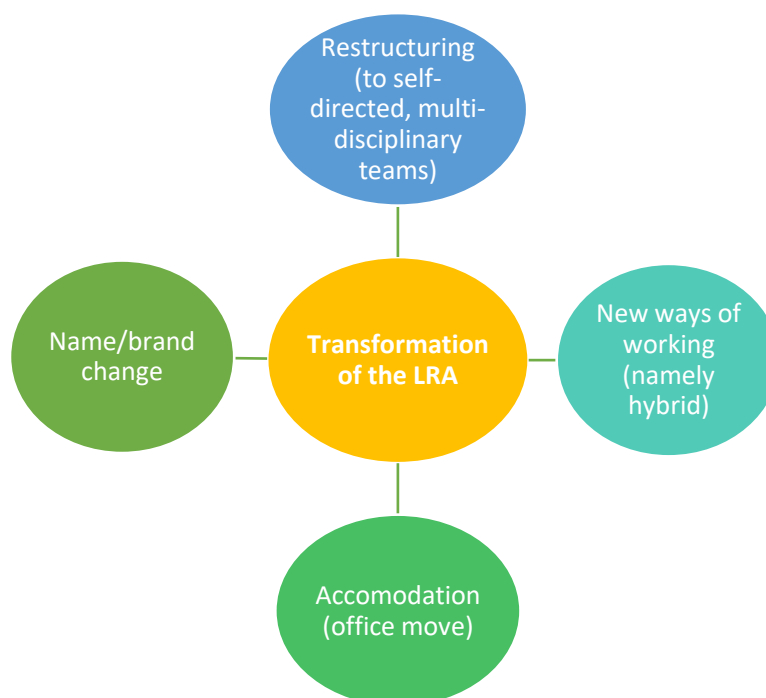
## Recommendation 2

The Review Team recommend that interdependencies are clearly identified across the LRA's internal strategies to ensure a joined-up approach and clear alignment to the current strategic direction.

### Transformation Programme

A key aspect that the LRA are progressing as part of their current strategic direction is a Transformation Programme which comprises a number of changes in their strategic direction and in how the Agency is organised to deliver services<sup>54</sup>. From consultations within the organisation the driving focus is to ensure the organisation is more agile and able to enhance their proactive and preventative work (Figure 7 provides an overview of key aspects of the Transformation Programme). In line with their purpose, the LRA have always worked to improve employment relations, including through provision of advisory services, and promotion of best practice in employment. Indeed, 80% of survey respondents viewed the LRA as effective in promoting best practice in workplaces. However, there are tensions for the organisation in managing resources between dispute resolution functions which are demand-led, statutory obligations and thus must be met, and the preventative work through training, guidance and other promotion which remains an important element.

**Figure 7. Key Aspects of the Transformation Programme**



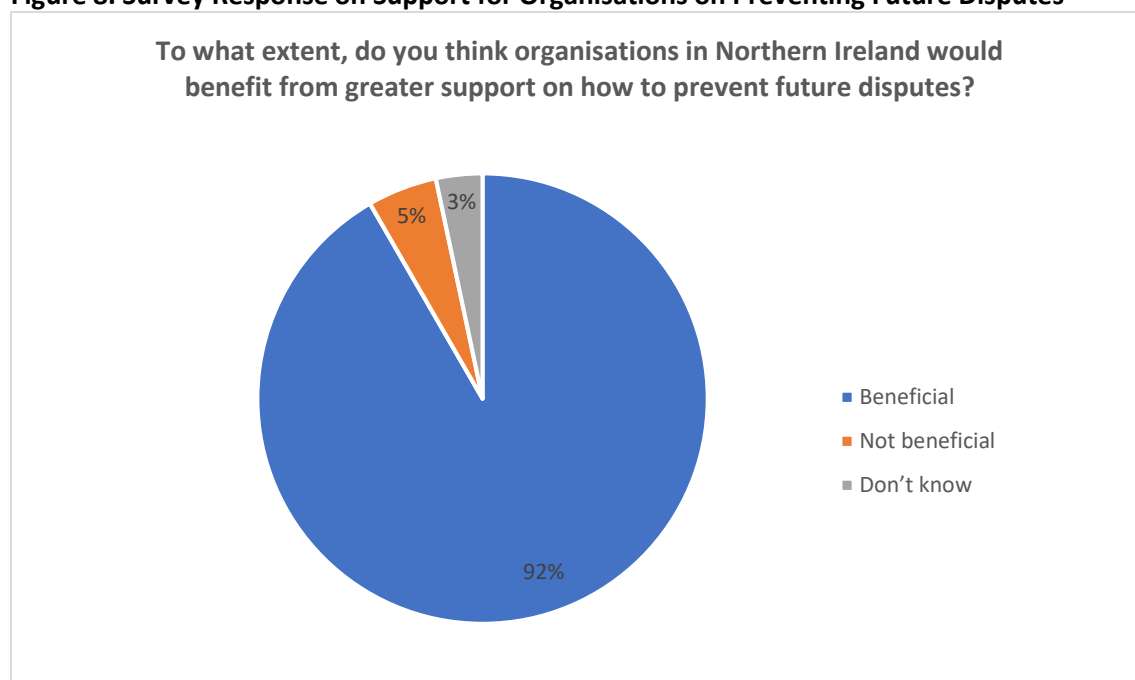
At the centre of a planned transformation programme is restructuring within the organisation to create more agile, multi-disciplinary teams, with enhanced connectivity between dispute resolution and advisory services. This restructuring seeks to enable, alongside other changes, the ability to engage earlier with organisations to prevent disputes, and earlier in the lifecycle

<sup>54</sup> [Labour Relations Agency Annual Report and Accounts 22-23](#)

of newly formed organisations to promote good practice from the outset. This investment of resource in preventative advisory and best practice work is envisaged to reduce disputes, improve good practice and in doing so impact the future demand for dispute resolution services.

There was consensus across consultees and survey respondents that there is an ongoing and growing need to work proactively to improve employment relations, with a majority of respondents reporting that organisations would benefit from greater support on preventing future disputes (see Figure 8 below).

**Figure 8. Survey Response on Support for Organisations on Preventing Future Disputes**



Building on this, there was a strong consensus from consultees that preventing disputes or addressing disputes at an early stage with less litigation has a positive contribution. Examples of survey respondents views in this area are included below:

*“(The LRA) needs space to think and be proactive, rather than being reactive due to the pressures from individual and collective disputes. It could do more in the areas of research and best practice.”* (External stakeholder)

*“A pro-active stance could be more evident, with the ability to offer services rather than wait until a dispute or problems are already acute. The LRA can be trusted by all parties and should promote this aspect of its work more.”* (Public sector employer)

*“...they have a lot of conciliation work, which holds back dispute prevention, which, in turn, creates more conciliation work.”* (External stakeholder)

It is the view of the Review Team that this direction aligns clearly with the 10X Strategy and the recent 10X Delivery Plan which focuses on the LRA’s role in promoting better work practices of job quality. Critically, this transformation also provides alignment with what key stakeholders in the sector would value as important.

Based on all the information gathered, the Review Team concludes that the direction of travel on transformation seems appropriate, is supported by wider stakeholders and offers positive alignment to the delivery of the wider 10X Strategy, discussed further below.

### 8.2.3 Alignment to the Departmental Vision, specifically the 10X Strategy

Throughout the report, particularly when exploring continued need, the Review Team have highlighted a positive consensus across both the Department and the LRA in the Agency's alignment to 10X, specifically in the area of 'Inclusive Growth'.

The LRA are viewed as having a key role to play in promoting better work practices and better quality jobs and are specifically leading on the actions<sup>55</sup> below:

- Action 8.3: Flexible Work - the Labour Relations Agency will highlight, through guidance and other channels, good practice in terms of supporting contemporary types of flexible working. Flexible working practices are important to the recruitment and retention of a wide range of employees who may not otherwise be able to remain in work.
- Action 8.4: Development of a Good Employment Charter - providing high quality jobs is critical to an effective and successful labour market and driving economic success and inclusive growth. The Agency will develop a Good Employment Charter based on best practice measures of job quality: terms of employment; pay and benefits; health, safety and psychological wellbeing; job design and nature of work; social support and cohesion; employee voice and representation; and life/work balance. This tool will support employers in identifying ways in which they might improve the quality of the jobs they provide to support recruitment and retention and drive organisations' performance.

In addition, as outlined previously, the LRA have technical expertise and on the ground experience which supports DfE policy teams in Action 5.7, as they ensure the employment relations framework is fit for purpose and develop legislation on employment standards<sup>56</sup>.

Driving inclusive growth relies heavily on employers and the LRA are therefore well placed, given their existing relationships with employers and their sharpened focus on proactive work, to reach out further to employers to promote greater inclusivity in employment.

In summary the Review Team find that the LRA's strategic direction is found to be well aligned to 10X and to their own delivery of actions and wider promotion of better work practices. Metrics related to 10X are discussed further in Section 8.4.

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<sup>55</sup> [10X Delivery Plan 2023/24 \(DfE, July 2023\)](#)

<sup>56</sup> This includes actions arising from the Retained EU Law (Revocation and Reform) Bill to ensure that employment legislation continues to operate effectively after 31 December 2023.

#### 8.2.4 Areas for Change: Expansion, Reduction or Stopping

Based on the light touch nature of this Review, the Review Team did not conduct detailed information gathering and analysis on enhancing systems or processes, and therefore below expands on the key areas initially identified during scoping consultations.

The Review Team found the LRA to be proactive in exploring areas for change within its services, with internal reviews conducted to identify areas for improvement as well as any non-statutory functions to reduce or cease.

As an example, the LRA have specifically reviewed their Independent Appeals Service<sup>57</sup> to assess if this should be an ongoing service of the Agency. In 2022/23, 21 cases for independent appeals were received and 18 cases heard, however a backlog of over 50 appeals remains from the period during Covid-19 pandemic restrictions<sup>58</sup>. Consultation by the LRA and legal advice have determined it is not viable to end this provision, however the Agency have identified various means to streamline the process and improve efficiency, which will in turn help to reduce the current backlog and better manage the use of Agency resources going forward.

The mediation service within the LRA has no specific legislative mandate; it is delivered under the Agency's general duty to improve employment relations. The service developed due to a need at the time. Demand is limited with 15 mediations during 2022/23 (73% resulting in agreement) and is noted as predominantly from public sector organisations. However, given the pressures discussed above for conciliation and the limited resource available, particularly at Employment Relations Manager (ERM) grade, this is an area the Agency could reassess in terms of its delivery. The LRA have begun to give consideration to the future provision of their mediation services where, it was represented to the Review Team, that initial thinking may see a shift from delivery of mediation within the Agency to more strategic involvement in which the use of mediation is promoted by the LRA and Continuous Professional Development (CPD) is provided for mediators. This could better align with the LRA's strategic direction and ensure resources are applied where most impact can be made. In addition, outside LRA's offer private mediation services are found to be available and in other organisations staff are trained in mediation to offer in-house provision. Looking at comparators both deliver mediation services, with WRC providing workplace mediation on an ad hoc basis and Acas showing mediation as a paid for service<sup>59</sup>.

The Review Team find that while demand in this area is relatively low, the delivery can be time consuming for key staff and, as it is not a statutory service, there is potential for change in the provision. Indeed, a more strategic shift may be in line with the Agency's wider Transformation Programme and the need to ensure resources are targeted most effectively.

In terms of other changes, for any ALB, an area for consideration are services with the potential for new or greater income generation. As noted previously all LRA services, like its counterpart WRC in Ireland, are free of charge and available to all parties. By comparison, Acas in Great Britain have some paid for services, namely under 'good practice services' which provide tailored support for organisations through training courses and facilitated problem solving. Through consultation the Review Team found no appetite from either the Department or the LRA to develop in this area. Consultees felt a charging model could limit access to some groups, for example SMEs may not engage if training and advisory services are charged and thus would

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<sup>57</sup> The Independent Appeals Service facilitates second stage appeals for a number of public bodies, mostly in the education sector

<sup>58</sup> [Labour Relations Agency Annual Report and Accounts 22-23](#)

<sup>59</sup> [What we do | Acas](#)

have less access to best practice information. There was also a view that the mechanisms required of a charging regime are significant and do not make (what is anticipated would be) relatively low-scale income generation viable. As such, the Review Team consider that adopting a charging regime is not feasible at this time, particularly given the ongoing refocusing of the organisation on proactive engagement.

In summary, the Review Team finds the LRA to be appropriately seeking areas for change. As a small organisation with finite resource the Board and senior leadership strive to continue to direct resources in order to have the most future impact. The Review Team considered three potential areas for change, finding that the Independent Appeals Service will continue, but is an area for service improvement with the need to streamline processes and address backlogs. Secondly, income generation was considered with the conclusion that to adopt a charging regime to support this would not be feasible at this time. Finally, with regards to mediation services, given the Agency's current direction and availability of other providers, The Review Team are supportive of the LRA's plans to review their mediation provision and recommend this includes assessment of how impactful it is and the value in continuing the offer in its current form.

### Recommendation 3

**The Review Team recommend that the LRA review their provision of mediation services, giving consideration to a shift in emphasis towards an enabling approach in line with their wider strategic direction.**

#### 8.2.5 Awareness and Promotion

As part of the Review the team explored awareness of the LRA with consultees and survey participants. During the previous Corporate Plan period (2017-21) the Agency gathered useful insights which showed that the level of awareness of the LRA and their services in NI was at around 71%, with younger people (ages 18–34) consistently the least aware of the Agency.

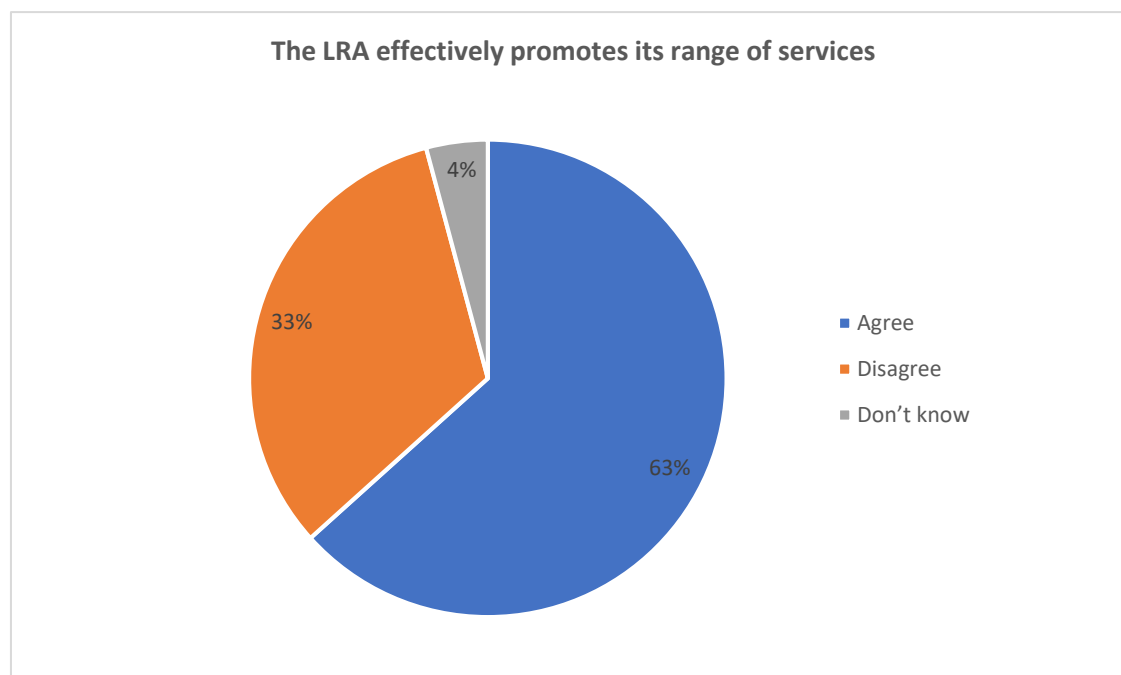
Regarding perceptions of awareness during consultation it was noted by several users of the service that the LRA may be known within the human resource departments of medium to large organisations, but less so for owned-managed businesses, and was not seen as the first call for employers – instead suggesting it would be industry colleagues, a legal professional or HR consultant.

When asked if the LRA effectively promoted its range of services 63% of survey participants (Figure 9 below) stated that they agreed that they did. Additionally, a number of consultees highlighted that the LRA are most known for conciliation/dispute resolution services and there were several views that they could promote themselves and the full range of the services they offer more. Indeed, when asked about areas for improvement within the LRA, the main theme from survey respondents was on improving awareness and promotion of the LRA, including:

*“(The Agency could) get out in the community more, so that non-employment law/HR know more about what they offer”* (Private sector employer)

*“(There needs to be) greater awareness of the services that the LRA provide ... especially with SME's”* (Trade union)

**Figure 9. Survey Response on how Effectively the LRA Promotes its Range of Services**



Consultees within the Agency represented that historically LRA promotion had been limited, with the Agency ‘flying beneath the radar’. In recent years the LRA have taken steps to address this gap in communications, their last corporate plan period (2017-2021) focussed on establishing a new communications function within the Agency. Whilst this function, and the resource within it, is still relatively new it is clear that due to the work they are undertaking the LRA are actively seeking to continue to promote their services, raise their profile and reach new audiences, particularly amongst those demographics where awareness is lower. This work includes, but is not limited to:

- Targeted social media presence including the use of new channels including Instagram and TikTok, engaging with schools and the Careers’ Service to identify ways to reach first time and young workers;
- An LRA presence at key public events in NI including Pride and Belfast Mela in line with their EDI Strategy to raise awareness access and inclusion; and
- Seeking to increase awareness on their thought leadership work through media work e.g. podcasts, events, press.

It was represented to the Review Team that the LRA more frequently work with medium to large scale organisations, often within the public sector. When considering future targeting, linked to their current strategic direction and a move to more preventive work, it will be important that the LRA seek to continue to be proactive in engaging with the private sector, particularly SMEs (which, as outlined earlier in the Strategic Context section account for the majority of businesses in NI<sup>35</sup>) and new organisations in the initial stages of their business lifecycle. The idea would be that as such firms grow, they are ‘bought in’ and embed good practice earlier, tying in with the Agency’s strategic direction. In order to support this, the LRA

may wish to review their stakeholder engagement plans to ensure they are representative of a wide range of organisations.

#### Recommendation 4

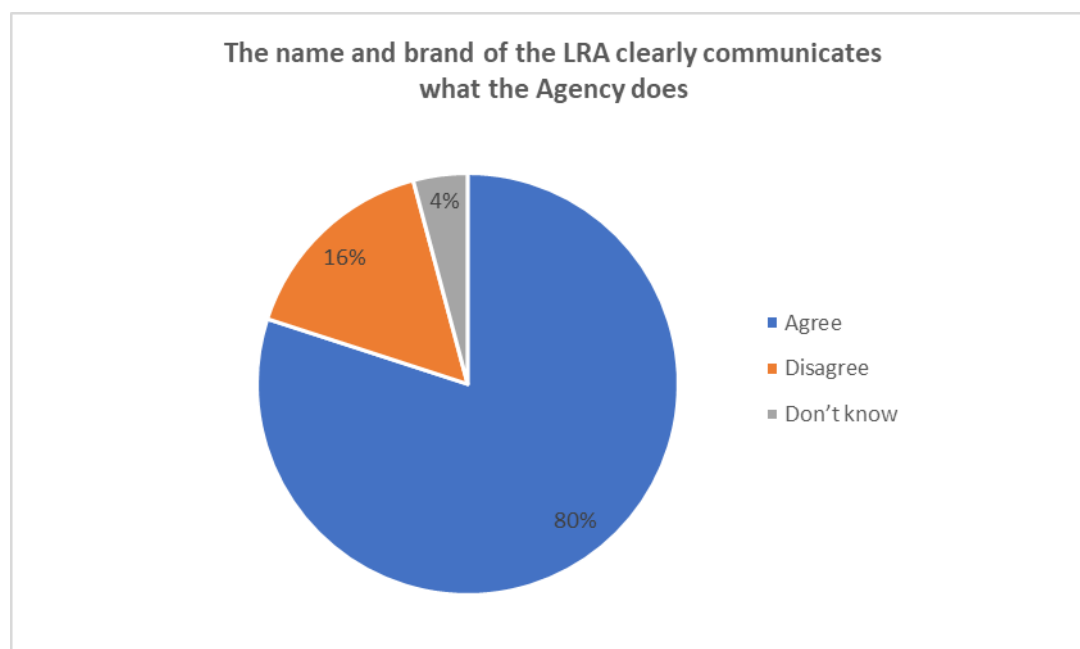
The Review Team recommends that the LRA expand engagement with private sector organisations in order to build earlier ‘buy-in’ and knowledge of good workplace practice.

#### LRA Brand

During the scoping consultation the LRA highlighted that they were at a ‘crossroads’ with the LRA brand, feeling that their title was limiting and didn’t cover the expansive range of services they provide. It was therefore agreed as part of the Terms of Reference to have a light touch exploration on whether a change of brand would be desirable as part of this Review.

With regards to a change in brand for the LRA there were no strong views put forward during consultations with DfE on the need for change of name. Other consultees felt the current branding ‘does what it says on the tin’, noting the need to be clear on any rationale for change. 80% of survey respondents agreed that the name and brand of the LRA clearly communicates what the Agency does (see Figure 10 below). Whilst this is a positive reflection of a strong brand, it is important to note that those who responded to the survey are aware of the LRA and have used its services.

**Figure 10. Survey Response on Name and Brand**



In the period since scoping was completed the LRA have formally planned to commence a rebranding project to relaunch and modernise the organisation’s name and brand to ensure a better reflection of services. At the time of the Report this was not fully rolled out, so no further information could be shared on progress.

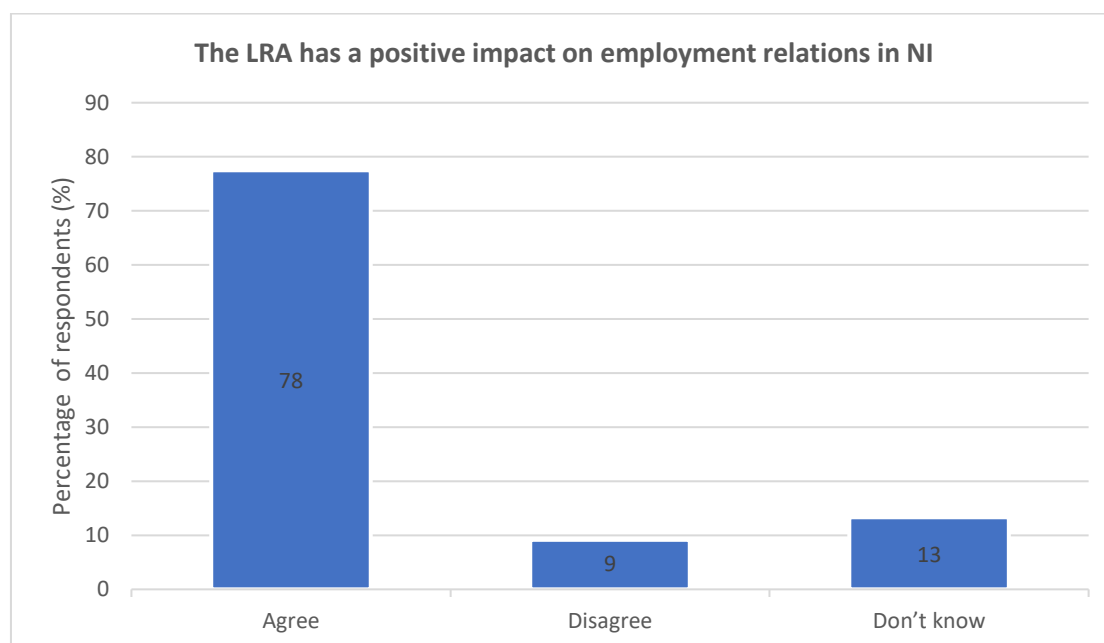
In summary, the LRA, cognisant of their previous limitations regarding promotion and awareness has, in recent years, through development of their communications function actively taken steps to improve promotion and engagement. Whilst the Review support the continuation of the planned direction of travel in this area, it appears that there is a gap regarding wider engagement with smaller organisations in the private sector. A greater focus on which may align more closely with the current wider strategic direction of the LRA.

Regarding the LRA brand, whilst a light touch approach, the evidence collected as part of this Review does not clearly indicate whether a change in brand would be desirable. It will be important that the LRA consider how the equity associated with their existing brand and the potential risks around losing this compare with the desire to modernize their branding and the potential benefits this could offer.

### 8.3 Impact

Considering again the LRA’s purpose, discussed above, the Agency seeks to improve employment relations, promote best practice and resolve workplace disputes. Survey findings show 78% of respondents felt the LRA has a positive impact on employment relations in NI (see Figure 11 below) and a majority viewed the LRA as effective in promoting good practice in the workplace.

**Figure 11. Survey Response on the Positive Impact of the LRA**



From discussions with consultees key examples of the LRA’s impact focused on the reduction in tribunal cases and the resolution of workplace disputes. In the case of tribunal claims, the LRA may impact in this area either through the provision of the early conciliation process, thus reducing the number of claims lodged (when successful), or through a reduction in cases proceeding to full hearing through the successful conciliation by the LRA during the claim process. There was clear consensus across consultees that dispute resolution not only saves in costs to OITFET but also the wider costs to businesses and the economy from ongoing disputes.

Early conciliation was implemented as a service in NI from January 2020, requiring those wishing to lodge a tribunal claim to consider the early conciliation process with the LRA prior to formal submission. The process was reviewed by the Department after 12 months (2021) with



the three year review having recently commenced. In terms of tangible impacts, the Review of Early Conciliation<sup>60</sup> in 2021 found that 230 early conciliation cases were settled during the period (January 2020-January 2021) and estimated that costs, if tribunals had progressed, would have amounted to approximately £363,000 for claimants and £1,012,000 for employers. This evidences a substantial saving when even a percentage of cases are settled without a formal tribunal claim. Looking more recently, in 2022-23 the LRA's Early Conciliation service settled 801 cases (15% of total cases<sup>6119</sup>) which shows a considerable increase from year one and larger savings, indicating a positive result from this early intervention activity in terms of estimated savings.

The NI Engagement Forum on Covid-19<sup>62</sup>, chaired by the LRA, was also highlighted by many consultees as a significant example of the Agency's positive impact, citing the LRA role as "invaluable". Employers and trade unions both noted the success of this forum and its actions, which found safe ways for essential businesses to continue operating, was in large part due to existing relationships with the LRA and their skill in gaining agreement between parties. As discussed in Section 6, there was a view from consultees that if the LRA had not stepped into this facilitation role during the pandemic it would have had a significant impact on the continuation of many businesses, with a specific comment that "there would have been massive conflict in the labour market and the wider economy".

During the Review, consultees in both the Department and within the LRA highlighted constraints for the LRA in regards to demonstrating impact. In the area of dispute resolution, while the LRA have been involved in conciliating collective disputes which has prevented or reduced strike action, successes in this area cannot be publicised in order to maintain confidentiality. As such it has been difficult for the LRA to demonstrate the associated potential positive impacts. Additionally, advisory services and promotion of best practice were noted by the LRA as areas where it is difficult to tangibly demonstrate impact. As discussed earlier in this section, given prevention and promotion of best practice are a focus for the LRA, , consideration should be given to how this might be best evidenced in future.

Research is a route being utilised by the LRA to evidence the importance of good employment relations, with the Agency recently commissioning two research projects: the first 'Estimating the Cost of Workplace Conflict in NI'<sup>63</sup> and the second focused on how good employment relations support improved productivity<sup>64</sup>. The former highlights the cost of workplace conflict (or the price of poor employment relations) at around £851 million each year in NI; this equates to just under £3,000 annually for each individual involved in conflict. When discussing the cost of disputes, consultees noted the particular impact which increased absence, grievances and tribunal claims can have on SMEs, which is of particular relevance in NI given that the economy is predominantly made up of SMEs. The research concludes that there is a strong argument "for a greater policy emphasis on the prevention, containment and resolution of workplace conflict", which aligns to the LRA's purpose and its strategic direction in ensuring resources for proactive and preventative work.

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<sup>60</sup> [Review of Early Conciliation | Department for the Economy \(economy-ni.gov.uk\)](https://www.economy-ni.gov.uk/review-of-early-conciliation)

<sup>61</sup> [Labour Relations Agency Annual Report and Accounts 22-23](#)

<sup>62</sup> Established on 28 March 2020. Chaired by the LRA and comprising a collaboration of business organisations, trade unions and key statutory bodies, to advise Government on how best to manage the challenge of Covid-19 as it applied to the NI Economy / Labour Market.

<sup>63</sup> [Estimating the costs of workplace conflict in Northern Ireland | Labour Relations Agency](#) (R, Saundry and P, Urwin. Centre for Employment Research, University of Westminster, September 2023)

<sup>64</sup> This is due to be published in late 2023 and thus was not accessible at the time of writing.

The Review Team find that there are positive indicators of the impact the LRA has within NI; key examples include early conciliation savings and experiences of the NI Engagement Forum during Covid-19. Regarding research, while a positive move to engage businesses and inform the LRA's practice, the Review Team observe that its focus is more on the impact of good employment relations overall, rather than the specific contribution the LRA make towards this. Therefore it will be important going forward that the LRA can clearly make this connection in order to be able to specifically demonstrate the benefits of the Agency itself and the areas it has most impact in. This will be instrumental in focusing the Agency efforts appropriately and to evidence the value the Agency provides, particularly in the context of constrained public sector finances. Further challenges in demonstrating impact are discussed in the next section.

#### 8.4 Measuring Performance

The scoping highlighted that a number of DfE's NDPBs, including the LRA, faced difficulty in measuring outcomes and, in some cases, the impact of the service they provide. In line with the ToR, the Review Team considered the appropriateness of the LRA's current performance metrics.

The LRA's 2022-23 Business Plan<sup>65</sup> contained 44 actions designed to deliver on the strategic objectives set out in the Corporate Plan. The Senior Leadership Team monitors progress against the objectives at monthly meetings and reports performance to the Board; progress against objectives is also discussed at Oversight and Liaison meetings with DfE. Monthly performance management reports highlight actions progress across the year.

The Review acknowledges that the LRA are invested in working towards providing a view of performance beyond quantitative data and are making positive moves to understand the difference their work makes, however, in alignment with scoping findings, it has become clear during the Review challenges still exist in assessing performance based on data and that, whilst the intention is there, the infrastructure to support this is not currently in place.

The LRA were unable to fulfil all requests for performance management data from the Review Team as it was not easily accessible, this included scorecards within the business plan, which the LRA have not been able to fully implement and therefore accurately and regularly report upon a number of KPIs contained within. It was represented to the Review that these issues are due to the fact that current systems were not designed to easily collect or obtain key data from and there is a shortage of trained staff available to access reports. The consensus view was that the existing IT infrastructure is not sufficient to meet the current and future needs of the Agency with its efforts to become more agile and proactive in its delivery of services.

The LRA are actively trying to make improvements to resolve the aforementioned issues; the IS Strategy outlines that they are in the process of evaluating their Case Management and Records System (CMRS) and implementing enhancements to the system. The negative impact on business operations and service delivery, should these not meet defined long-term business needs, is highlighted as a key corporate risk in the Agency's Annual Report (2022-23). The Review Team recognise there are challenges faced in terms of recruiting skilled staff from the IT industry within public sector pay constraints and that this has contributed to slower progress in this area than the LRA would like. In response to this the LRA are engaging with IT Assist in relation to the proposed migration of service provision to IT Assist.

Within their Business Intelligence (BI) Strategy (2021-2025) the LRA recognise the need to strengthen their use of data and business insights in order measure performance and impact.

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<sup>65</sup> [Business Plan 2022-23 | Labour Relations Agency - Official \(lra.org.uk\)](#)

Intelligence is needed to inform and drive changes, identifying areas to target, resource allocation as well as being able to share key insights with the Department and stakeholders. As outlined in Section 8.2.2 delays in progress against the IT Strategy has impeded delivery of BI Strategy objectives. It is imperative therefore that the LRA not only expedite the delivery of the IS Strategy and therefore the BI Strategy to align to current requirements for performance measurement and data access, but also consider how to future proof them. Tier 3 metrics need to be developed at a programme-level/policy by all policy owners and delivery agents to demonstrate how their actions and KPIs align with and drive change within 10X metrics. At the time of writing metrics have not been developed by the LRA and this will need to be taken forward by the Agency for their areas of responsibility. Additionally, against the back drop of the current economic climate and the budgetary pressures facing the NICS and its arms-length bodies it would be advantageous for the LRA to have access to data which would allow for their impact and value to be measured and demonstrated more fully and holistically.

In light of the resourcing constraints outlined above, the Review notes that collaborating with others, such as NISRA statisticians within DfE Analytical Services Division (ASD), could help to progress this area of work. There are a number of options on how this can be taken forward, taking account of need and budget limitations to ensure that the LRA has suitable support to focus on key areas including data requirements and analysis.

Comparator insights show that Acas have continuing investment in developing and improving their systems and the Review has seen evidence of their strong use of data and business intelligence. The Review is aware that the LRA have regularly engaged with Acas in aligned areas and it would be beneficial for the LRA to seek to continue engaging with Acas on both improvements in IT and in the business intelligence field to identify lessons learned from Acas' experience and good practice in place.

In summary, slippage in delivery of key components of the IT Strategy has led to a lack of progression on the BI Strategy which has ultimately hindered the Agency's ability to use data to measure performance and understand more fully their impact as an organisation. Options exist within the Department to help support and facilitate this work, and it may be useful for the LRA to explore these in greater detail, particularly in light of the need to report against 10X progression.

#### **Recommendation 5**

**The Review Team recommend that the LRA prioritise IT system enhancements to enable progress against the BI Strategy and improve data usage to inform and drive change.**

#### **Recommendation 6**

**The Review Team recommend that DfE and the LRA explore the options for statistical and data-related support resources in order to strengthen understanding of the impact of LRA service delivery.**

#### **Recommendation 7**

**The Review Team recommend that the LRA, in coordination with DfE, develop appropriate and feasible Tier 3 metrics in line with the 10X Delivery Plan.**

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## 8.5 Governance

The preceding scoping review found no issues of note with regards to governance, this subsection therefore provides a light touch review of the LRA's governance and any opportunities to improve arrangements.

The Agency's overall strategic direction, governance arrangements and the delivery of its functions as set out in legislation are established and overseen by its Board. As outlined in Section 3, the Board of the LRA usually consists of a Chairperson and nine Members appointed by the DfE Minister. The Board has a tri-partite composition of three employer, three trade union and three independent representatives. Given the suspension of the NI Executive and the absence of Ministers, it was not possible for DfE to make appointments to the Board when member terms expired. As such, the Board was reduced to five members and a Chairperson for a period from April to August 2023 (sufficient to meet quorum requirements). As of 1<sup>st</sup> September 2023, four new Board members were appointed by the Secretary of State for Northern Ireland ensuring a full Board is now in place.

The Board is responsible for ensuring that high standards of corporate governance are observed at all times. Two sub-committees are in place to ensure adequate oversight – ARAC and the Finance and Personnel Sub-Committee; both meeting at least four times per year. Looking at audit and risk firstly, the audit schedule and a sample of audits were reviewed and all found to be satisfactory, with evidence that recommendations are appropriately actioned. Mechanisms are in place for suitable risk management within the Agency and overseen by ARAC and the wider Board.

One issue noted by DfE and the LRA is related to shortcomings in the founding legislation of the LRA, which was identified following a judgement on the Charity Commission for NI. The Departmental Solicitors Office (DSO) have advised this is a minimal risk given the nature of the LRA's work. Provided a Public Bodies Bill is progressed when the NI Assembly returns, it is intended this issue be addressed by the Department through secondary legislation.

Looking to financial management, responsibility for ensuring that an effective system of internal financial control is maintained and operated rests with the Chief Executive as Accounting Officer. No issues were identified from discussions with DfE Finance personnel, the Partner Team or through review of LRA or DfE papers such as ARAC documentation. In September 2022 the NI Audit Office's report<sup>66</sup> found an adequate system of internal control and made no Priority 1 recommendations. All Priority 2 recommendations were accepted and implemented, with one Priority 3 recommendation considered but not implemented following Board review.

During scoping, the Partner Team and other consultees from within DfE did note some ongoing minor issues with regards to timely receipt of business cases. The Partner Team felt that the finalising of the Partnership Agreement could act to resolve these issues. While the Partnership Agreement is not yet in place, business case training between LRA and DfE was undertaken in January 2023 and there have been no further issues noted to the Review Team since this time.

In addition to corporate governance oversight, the Board has a key responsibility in overseeing the organisation's performance and strategic direction. The strategic direction of the LRA is discussed in Section 8.2.2, including current transformation plans which are well outlined in Board papers reviewed. It was noted through consultations that the tri-partite nature of the Board and the expertise available from members was viewed as a key strength of the organisation, with members able to provide a clear and informed strategic direction and

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<sup>66</sup> NIAO Report to those charged with Governance – LRA 2021/22 (September 2022)

promote the work of the LRA through their wider roles. Consultees, across the Department and externally, note the Board Chair is well recognised and respected, from his experience and involvement across other organisations and this provides value to the LRA.

In terms of effective running of the Board, the Chair ensures annual self-assessment exercises are conducted and an externally facilitated workshop to review practice is held every three years. Reports from self-assessments<sup>67</sup> show positive improvement in the indicators in the 2023 exercise with 23 of 25 indicators showing to have been met or exceeded, an improvement on the previous year.

Operationally, the Agency is led by a Chief Executive who has overall responsibility for the Agency's performance. The Chief Executive oversees two directorates – Employment Relations and Corporate Services, each headed by a Director. Together, the Chief Executive and the Directors make up the Senior Leadership Team (SLT). Positive feedback came from the Department, external stakeholders and staff regarding the SLT outlining their expertise and openness to change in order to develop the organisation for the future.

The Review Team's analysis of all information gathered finds the LRA has a good governance structure in place. The Board has sufficient oversight across the organisation with two sub-committees which regularly report to the Board across their areas of responsibility. The Board is effective, and a key strength from consultees' perspectives is its tri-partite membership, with the Board able to provide balanced views on key issues and clear direction for the organisation. The Board members offer a wide range of experience and expertise, and are thus able to appropriately challenge and support the organisation in its delivery and ongoing development.

The Senior Leadership Team is experienced and well-respected based on the strengths cited by many consultees. The team strives to ensure the LRA is an exemplar organisation for best practice in the field; this is seen in their strong people focus, including their achievement of Investors in People Gold accreditation and leading in areas of equity, diversity and inclusion.

In summary, a light touch review of governance arrangements shows no notable issues arising and no recommendations required.

### **8.5.1 Accountability**

As a Partner Organisation of DfE the LRA have regular engagement with their Partner Team, the Employment Relations Governance and Operations Branch. From consultations within the LRA and with the Partner Team, the Review Team find that an effective sponsorship/partnership arrangement is in place. No issues were found in terms of roles and responsibilities, with clarity between the parties and regular contact built into the arrangement. From DfE's perspective, the LRA is a well-established NDPB viewed as 'low risk' based on: its budget which is predominately covering staffing costs; its internal management controls; and transparency and openness in the relationships between officials. Strong relationships are reported from all parties across the LRA and the Department, from regular attendance of the DfE Divisional Accountant at ARAC, up to Permanent Secretary engagement with the LRA Board Chair.

As discussed in Section 6, the Agency has good working relationships with policy teams in Employment Regulation. There is good collaboration with these teams, with engagement from DfE when developing legislation impacting employers and employees in order to gain practical insights and stakeholder views available through the LRA. It is noted that there may be a risk for DfE if policy teams are reliant on key individuals within the LRA for their expertise in

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<sup>67</sup> Board Effectiveness Self-Assessment Report – Board Paper BP07-05/23 (May 2023)

employment law areas as the LRA have highlighted risks in the age profile of the organisation and ‘single points of failure’ in the staffing structure<sup>68</sup>. With respect to this, consideration may be given to short secondment opportunities between DfE Employment Regulation and key staff within the LRA, to expand knowledge and expertise across key areas and to further support partnership working between the Department and the Agency.

The Management Statement and Financial Memorandum (MSFM)<sup>69</sup> has historically been a key document outlining sponsorship arrangements between government departments and their ALBs. However, commencing in November 2019 MSFMs began to be replaced by Partnership Agreements across the NICS. Underpinning the agreements are the principles outlined in ‘Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice’<sup>70</sup>, with partnerships based on a mutual understanding of strategic aims and objectives, clear accountability and a recognition of the distinct roles each party contributes. Given the diversity in the structure and purpose of Partner Organisations across Departments, it was recognised that “no one size fits all” and as such partnership agreements should be adapted to reflect what the Department and Partner Organisations agree on as the most appropriate model of partnership.

The LRA’s most recent MSFM was signed in October 2019, and while the development of the Partnership Agreement has been in progress for a sustained period, a final agreement has not yet been signed off. Based on all information gathered about the relationship between the Department and the LRA, the Review Team view the time taken to develop the Partnership Agreement as disproportionate (even taking into account delays related to the Covid-19 pandemic over 2020 and 2021) in relation to what is reported as a “low risk NDPB” from DfE’s perspective.

The main accountability monitoring route of the LRA’s performance has been regular Oversight and Liaison (O&L) meetings, which are shifting to Partnership meetings. Representatives from the Partner Team attend other accountability forums to keep up to date with developments within the LRA, including attending LRA ARAC meetings and finance meetings, as well as the submission of various returns from the LRA to keep DfE informed in key areas. The Review Team finds that DfE has sufficient assurance arrangements, with regular contact, reporting and meetings in place, to maintain good oversight of the LRA.

In summary, positive working relationships and appropriate accountability arrangements are seen to be in place, which need formalised in the Partnership Agreement as a priority.

#### **Recommendation 8**

**The Review Team recommend that the Partnership Agreement between DfE and the LRA is finalised no later than the 30 November 2023 deadline set by DfE Corporate Governance.**

<sup>68</sup> LRA Corporate Risk Register – last version provided in March 2023

<sup>69</sup> [Management Statement & Financial Memorandum \(MSFM\) \(October 2019\)](#)

<sup>70</sup> [NI Code of Good Practice v3](#)



## 8.6 Structure

Although the Terms of Reference set out a light-touch view on appropriateness of structure, during the course of the Review we did not discover any issues with the LRAs organisational structure that would have necessitated a wider exploration.

The Review finds that the LRA is proactively working to improve their structure and support their longer-term sustainability through the implementation of their Transformation Programme. As outlined previously in Section 8.2.2, through the programme restructuring is intended to create more customer-centric services, with a resourcing model rooted in self-directed and multidisciplinary teams which are more agile and therefore better able to respond to spikes in demand for services. It is planned that the new structures will allow for increased 'vertical' and 'horizontal' knowledge sharing across the functional areas.

The LRA have discussed at several points succession planning and single points of failure: staffing risks due to the age profile of the organisation. It is anticipated by the LRA that the steps above will be key components in mitigating against these risks.

Regarding gaps in the structure the Agency has, in the past few years, experienced difficulties in attracting and retaining suitably qualified candidates for some specialist roles. It was represented to the Review that whilst this can partially be attributed to skills or labour shortages, as outlined previously in the report, the long-term downward pressure on the relative value of public sector pay means that the LRA is struggling to compete for talent, most notably within the IT sector.

The LRA have identified a gap for an accountant post within their finance function, however, as part of discussions during the scoping phase with other NDPBs and the wider Department it was clear that, as above with IT, there are also difficulties in recruiting from the finance sector.

It is evident to the Review that the Agency is seeking solutions to challenges in attracting and retaining talent through the development of their own Apprenticeship Programme<sup>71</sup>, in the hopes that nurturing and growing the talent of new recruits will future proof the Agency's workforce, particularly in light the aforementioned succession planning risk.

In summary, the Review Team find the current Transformation plans to be appropriate in reviewing structures and taking steps to mitigate risks and future proof the structure of their organisation.

### Recommendation 9

**The Review Team recommend that, when embedded, the LRA review their new structures within a 12-18 month period, to ensure the structures are effective in supporting the desired direction of travel.**

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<sup>71</sup> At the time of writing, this is anticipated to commence in late 2023.

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## 8.7 Wider Shared Services

From scoping it was identified that there was no uniform approach to use of shared services by those Partner Organisations included as part of that review, with the majority using some, but not all, of the full suite of shared services available. Additionally, it was highlighted that a number of the NDPBs/Partner Organisations had issues regarding shared services use. Whilst no specific issues were raised by the LRA during scoping regarding their use of shared services, below provides a brief overview of relevant points to note regarding shared services that have been identified as part of this Review:

- **IT Assist:** as part of their IS Strategy the LRA are due to migrate their ICT service provision to IT Assist. This migration has been delayed from original timescales. At the time of writing this process has not formally commenced and it was represented to the Review that, based on IT Assist availability and completion of necessary pre-requisites by the Agency, it would take around six months to complete. In order to continue progress against IS strategy objectives it will be important for the LRA to continue to prioritise movement in this area.
- **Finance:** Through the scoping review difficulties were identified across a number of smaller ALBs with regard to recruiting skilled finance staff. As part of a wider discussion on finance resourcing with DfE it was noted that future consideration could be given to the establishment of a central financial provision which would draw together financial resources from the Department's Partner Organisations. This idea is still in early development stages; however it would be prudent for the LRA and the Partner Team to keep abreast of progress particularly in light of the LRA's aforementioned gap in finance structures and the wider difficulties seen in recruiting financial resource.
- **Analytical Services Division:** As outlined in Section 8.4 the LRA may wish to explore with ASD options for statistical and data-related support.

In summary the Review Team find that the LRA are utilising shared services as appropriate, with planned engagement with IT Assist for future IT support.

## 8.8 Wider Areas for Improvement

It is evident to the Review Team that in recent years the LRA, in a trajectory expedited by Covid-19, have increased their use of digital technologies in order to make best use of their existing resources. This has included, for example, webinars in place of traditional 'classroom' based training and podcasts. Whilst this is viewed as a step in the right direction, the LRA's digital offer did however emerge as an area for potential further improvement in the course of this Review, with 67% of survey respondents noting that there was an opportunity for the LRA to expand their online/digital services.

The most prevalent theme in survey responses, with regards to improvement, was regarding digital/online provision, highlighting the need for enhancements to the LRA's website to make it more user friendly, expansion of the document template facility and potential for greater online services including options for electronic submissions in arbitration.

The LRA have set an objective for the coming year to focus on growing and improving digital content to make best use of their advisory resources. It is proposed that this will include, for example, an increase in digital outreach and online clinics as well as a review of their website's accessibility. It is important to note that a number of consultees also highlighted that they still



valued face to face interaction, the LRA will have balance this need in future plans to increase digital content.

## **8.9 Section Summary**

This section has provided consideration of opportunities for enhanced effectiveness and efficiency within the LRA's service delivery. This has included a concise number of recommendations aimed at enhancing such delivery. It would be the view of the Review Team that implementation of these recommendations would have a positive impact on the future functioning of the Agency. The following section provides a conclusion to the Review.

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## 9. CONCLUSIONS

### 9.1 Summary and Conclusion

The LRA was established under the Industrial Relations (NI) Order 1976 (and re-enacted by the Industrial Relations (NI) Order 1992), with the purpose of improving employment relations, promoting best employment practice and resolving workplace disputes.

The LRA has a strong reputation amongst employers, trade unions and wider public bodies, offering a valuable service in promoting and improving employment relations in NI. The analysis points to continued demand for the services of LRA, for example in NI specific knowledge if there is continued deviation between NI and Great Britain's employment legislation. Therefore, it is the view of the Review Team that a continued need for the LRA exists and is likely to continue to exist into the foreseeable future.

The LRA's current status as a NDPB firmly remains the most appropriate delivery model with two of the 'three tests' met, the Review Team consider that departmental sponsorship supports the achievement of these. The Review Team therefore conclude that the functions currently performed by the LRA should continue to be carried out at arms-length from government. The Agency has its own effective governance structures and there are good accountability arrangements in place with the Department, though a formal Partnership Agreement needs to be finalised as a priority.

Overall, the Review Team find that the LRA's purpose remains relevant to their key areas of work, is well connected with Departmental priorities, and is supportive of the current changes in the organisation to allow for greater emphasis on promotion of best practice and opportunities for dispute prevention. It is the view of the Review Team that the LRA's strategic direction, including their transformation programme, are appropriately aligned with the 10X Strategy and the recent 10X Delivery Plan which focuses on the LRA's role in promoting better work practices of job quality. The review has identified that there is opportunity to ensure greater alignment between the LRA's strategies and expand engagement across a wider range of organisations in line with their strategic direction.

The Review determines that the LRA has a positive impact on employee relations in NI, however challenges currently exist in measuring performance, and whilst the LRA holds a wide range of intelligence, there are areas for improvement in the LRA's management and use of this. Against the back drop of the budgetary pressures facing the NICS and its arms-length bodies it would be advantageous for the LRA to have access to data to allow for their impact and value to be measured and demonstrated more fully.

To conclude, taking on-board all of the information gathered as part of this Review it is clear that the LRA are highly respected across a range of sectors and valued for their expertise on employment issues. The Agency is seen as having an ongoing and central role to play in improving employee relations in NI. It is the perspective of the Review Team that the implementation of the recommendations set out in this report will have a positive impact that will assist LRA in enhancing their service delivery further.

## APPENDIX I: LIST OF ABBREVIATIONS, TABLES AND FIGURES

Abbreviation	In Full
Acas	Advisory, Conciliation and Arbitration Service
ALB	Arms-Length Body
ASD	Analytical Services Division
ARAC	Audit and Risk Assurance Committee
BCS	Business Consultancy Service
BIS	Business Intelligence Strategy
CEO	Chief Executive Officer
CCNI	Consumer Council NI
CITBNI	Construction Industry Training Board NI
CMRS	Case Management and Records System
CPD	Continuous Professional Development
DE	Department of Education
DfE	Department for the Economy
DMU	Dedicated Mechanism Unit
DoF	Department of Finance
DSO	Departmental Solicitors Office
EAT	Employment Appeals Tribunal (Ireland)
EDI	Equity, Diversity and Inclusion Strategy
ERM	Employment Relations Manager
ET	Equality Tribunal (Ireland)
HEI	Higher Education Institutions
HSENI	Health and Safety Executive for NI
ICTU	Irish Congress of Trade Unions
iP	Investors in People
IS	Information Systems
KPIs	Key Performance Indicators
LRA	Labour Relations Agency
LRC	Labour Relations Commission (Ireland)
MSFM	Management Statement and Financial Memorandum
NDNA	New Decade New Approach
NDPB	Non Departmental Public Body
NERA	National Employment Rights Authority (Ireland)
NICS	Northern Ireland Civil Service
NIPSA	Northern Ireland Public Service Alliance
NISRA	Northern Ireland Statistics and Research Agency
PfG	Programme for Government
POST	Parliamentary Office of Science and Technology
OBA	Outcomes Based Accountability
ODP	Outcomes Delivery Plan
OITFET	Office of the Industrial Tribunals and Fair Employment Tribunals
OPN	Opinions and Lifestyle Survey
O&L	Oversight and Liaison
ONS	Office of National Statistics
RCS	Rights Commissioners Service (Ireland)
SAM	Self-Assessment Model
SLT	Senior Leadership Team
SME	Small-Medium Enterprise
TEO	The Executive Office

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Abbreviation	In Full
<b>ToR</b>	Terms of Reference
<b>WIS</b>	Workplace Information Service
<b>WRC</b>	Workplace Relations Commission

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## APPENDIX II: STAKEHOLDER CONSULTATIONS

The table below provides a summary of those consulted:

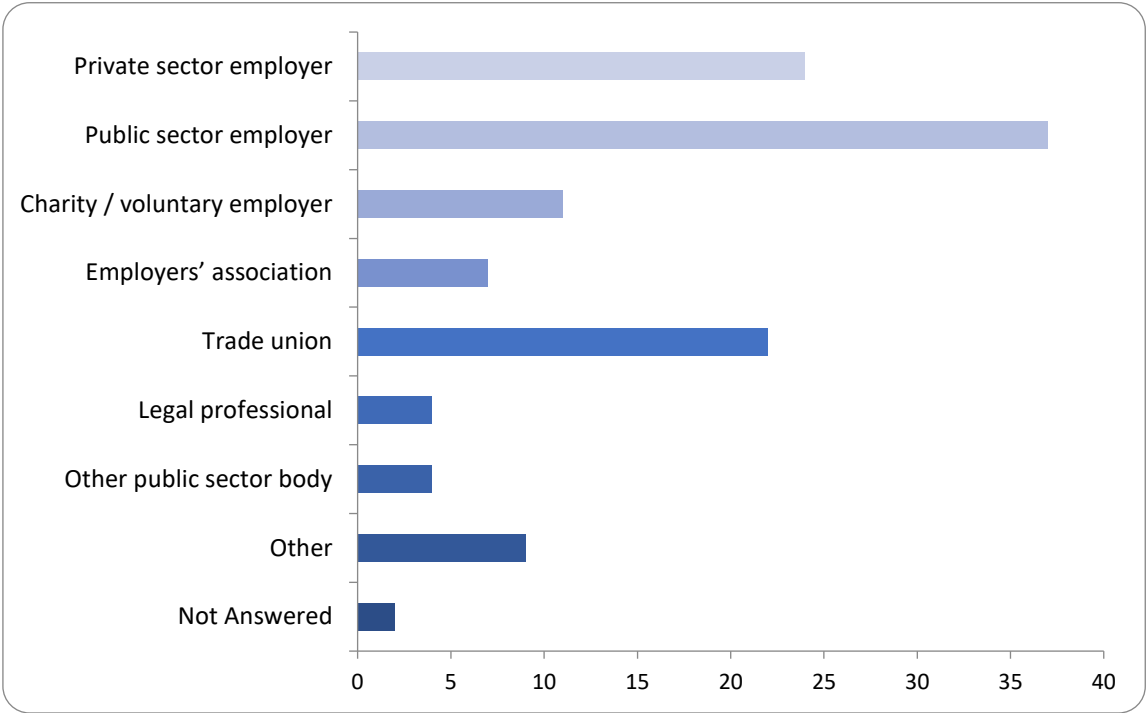
Name/Contact	Role
<b>DfE</b>	
Mike Brennan	Permanent Secretary
David Malcolm	Grade 3, Management Services and Regulation Group
Colin Jack	Grade 5, Business and Employment Regulation Division
Laurence Rogers	Grade 7, Better Business Branch
Gerry Marley	Deputy Principal, Better Business Branch
Wendy Carberry	Grade 7 (previous Partner Team Lead)
Sharon Hetherington	Finance Director
Alan Russell	Director of Corporate Governance Division
Michael Woods	Head of Internal Audit
Giulia Ni Dhulchaointigh	10X Economic Vision, Economic Strategy Group
Dearbhla Redmond	Grade 7, Business and Employment Regulation
Gareth Dillon	Grade 7, Business and Employment Regulation
Joanne Adair	Grade 7, Business and Employment Regulation
Cathryn Blair	Senior Principal Statistician, Analytical Services
Nicola Fisher	Acting Director of Analysis and Research, NISRA
<b>LRA</b>	
Don Leeson	CEO
Mark McAlister	Director of Employment Relations Services
Paul Lowe	Director of Corporate Services
Gordon Milligan	Board Chair
-	Board
Deirdre Fitzpatrick	Board Sub Committee - Audit and Risk Committee Chair
Geraldine Alexander	Board Sub Committee - People and Finance Committee Chair
Patricia Coulter	Knowledge Manager
Julie Ann Donnelly	Communications Manager
-	Employment Relations Group (Staff Forum)
Kellie Cooke	Regional Office representative
John Keaveney	Regional Office representative
<b>Other Government Departments and Public Bodies</b>	
Sarah Havlin	Chair of the Industrial Court
Tom Evans	Certification Officer for NI
Joanne Williams	Tribunal Secretary, Office of the Industrial Tribunals and Fair Employment Tribunals (OITFET)
Geraldine Fee	Deputy Director, Ending Violence Against Women and Girls Strategy, TEO
Robbie McGreevy	Director of HR and Corporate Services, EANI
Rita McCrory	Senior HR Advisor, Council for Catholic Maintained Schools (CCMS)
Philip McCauley	ICT Level 8, Enterprise Shared Services
Donna Williams	Director, Construction and Procurement Delivery (CPD)
<b>External Stakeholders</b>	
Stephen Kelly	CEO, Manufacturing NI
Kirsty McManus	National Director for NI and Wales, Institute of Directors
Gerry Murphy	Assistant General Secretary, NI Committee, ICTU
Carmel Hanna	General Secretary, NIPSA
<b>Comparator Organisations</b>	
Samantha Clark	Deputy Director, Acas, Great Britain
Anna Perry	Acting Director General, Workplace Relations Commission, Ireland

# APPENDIX III: SURVEY RESPONSES

Quantitative information from a wider range of the LRA’s stakeholders was obtained by the use of a comprehensive online survey. The survey was devised to be confidential and non-attributable and therefore, by design, there is no reference to individual respondents or organisations. The survey was issued to 650 LRA stakeholder contacts. There were 120 responses received representing a return rate of 19%. The following is the complete response to each question.

### Question 1: Which of the following best describes you or your organisation?

There were 118 responses to this part of the question.

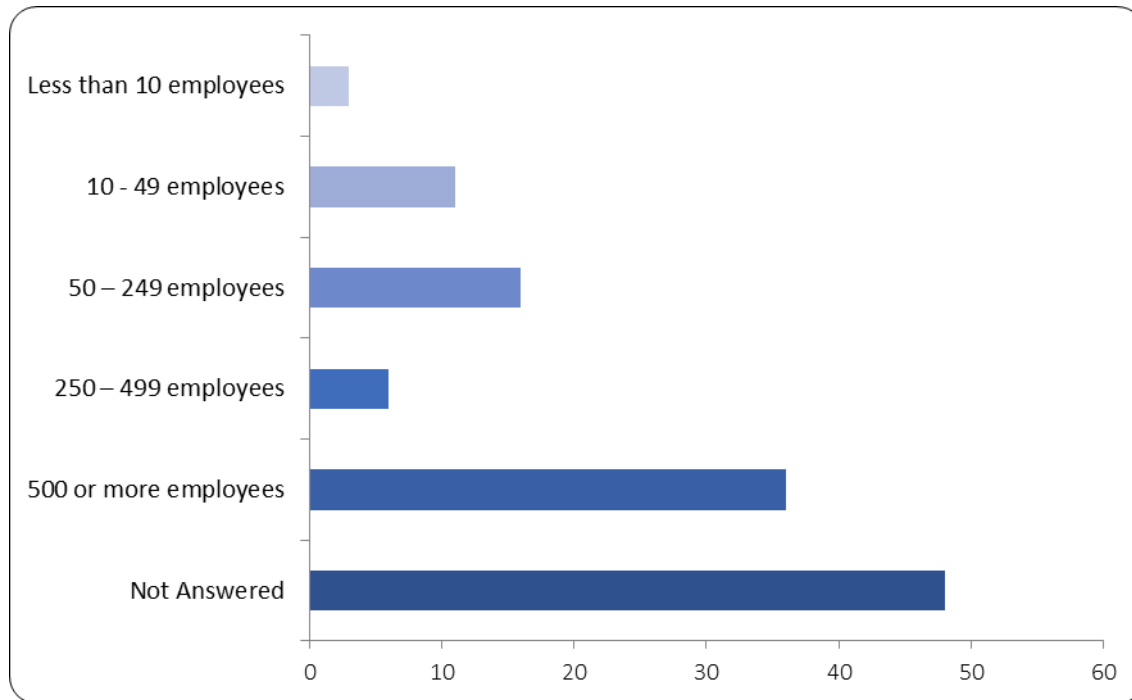


Option	Total	Percent
Private sector employer	24	20.00%
Public sector employer	37	30.83%
Charity / voluntary employer	11	9.17%
Employers' association	7	5.83%
Trade union	22	18.33%
Legal professional	4	3.33%
Other public sector body	4	3.33%
Other	9	7.50%
Not Answered	2	1.67%

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**1B: (For employers) How many employees does your organisation have in NI?**

There were 72 responses to this part of the question.



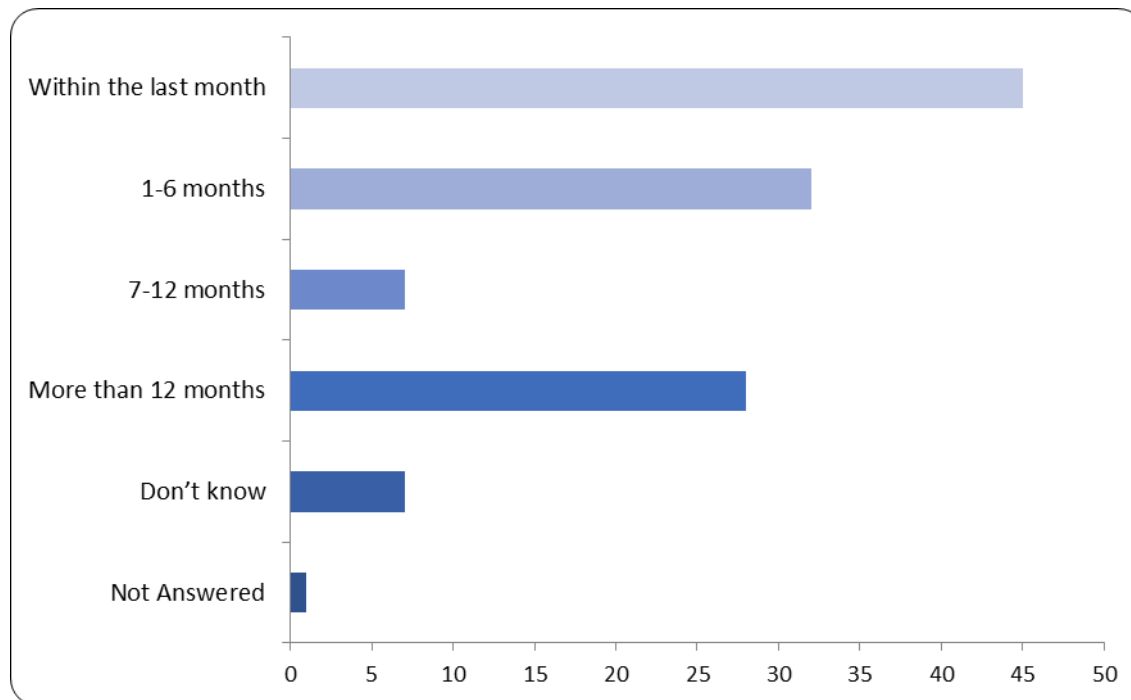
Option	Total	Percent
Less than 10 employees	3	2.50%
10 - 49 employees	11	9.17%
50 - 249 employees	16	13.33%
250 - 499 employees	6	5.00%
500 or more employees	36	30.00%
Not Answered	48	40.00%



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## 2: When was your last interaction with the LRA roughly?

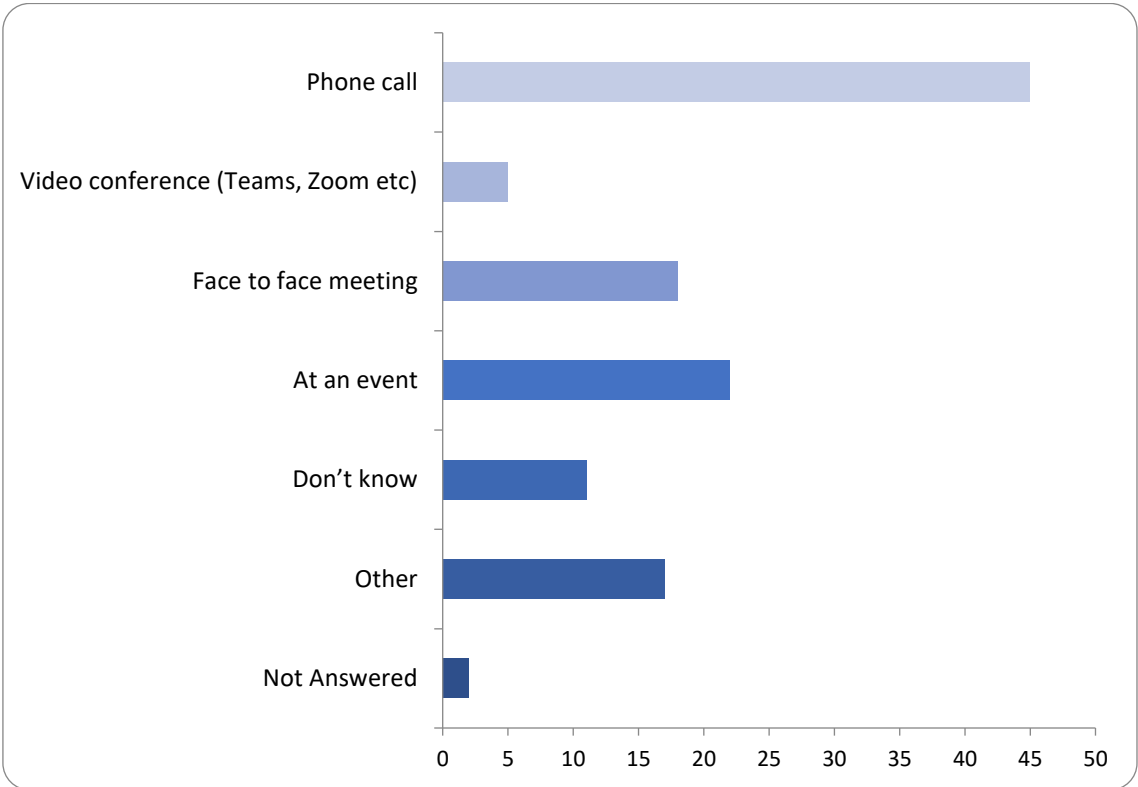
There were 119 responses to this part of the question.



Option	Total	Percent
Within the last month	45	37.50%
1-6 months	32	26.67%
7-12 months	7	5.83%
More than 12 months	28	23.33%
Don't know	7	5.83%
Not Answered	1	0.83%

**3: What was the method of your last interaction with the LRA?**

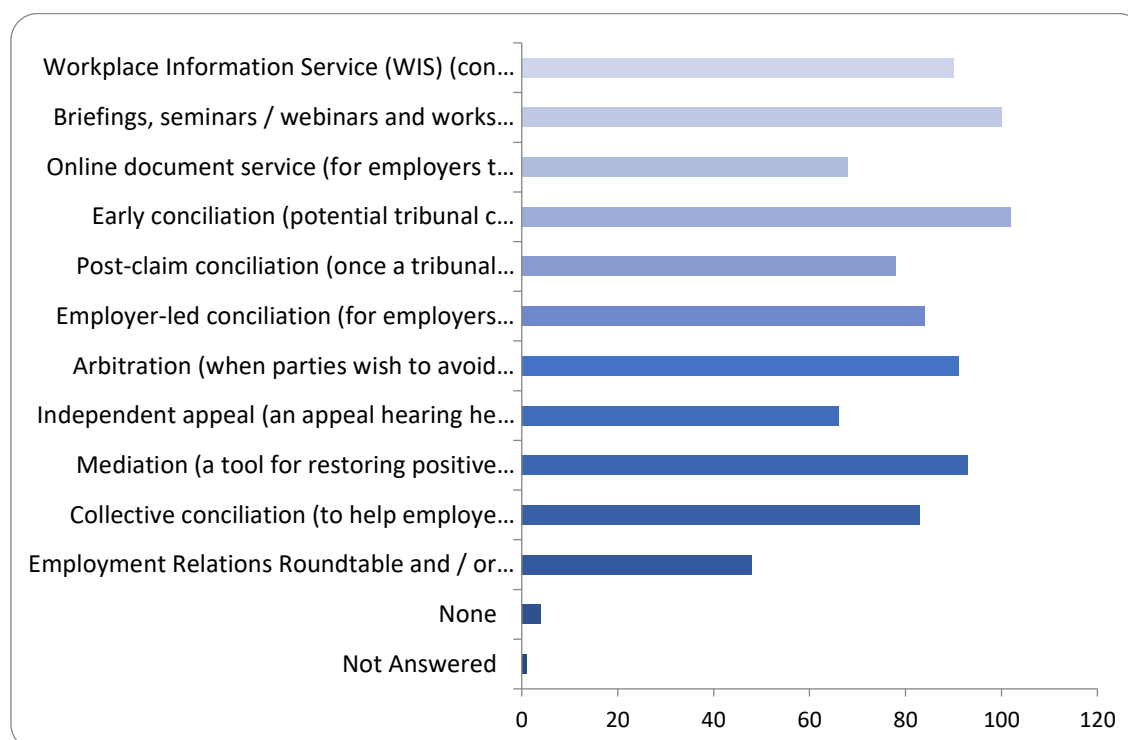
There were 118 responses to this part of the question.



Option	Total	Percent
Phone call	45	37.50%
Video conference (Teams, Zoom etc.)	5	4.17%
Face to face meeting	18	15.00%
At an event	22	18.33%
Don't know	11	9.17%
Other	17	14.17%
Not Answered	2	1.67%

**4: The LRA provide a range of advisory and dispute resolution services. Please tick all those you are aware of.**

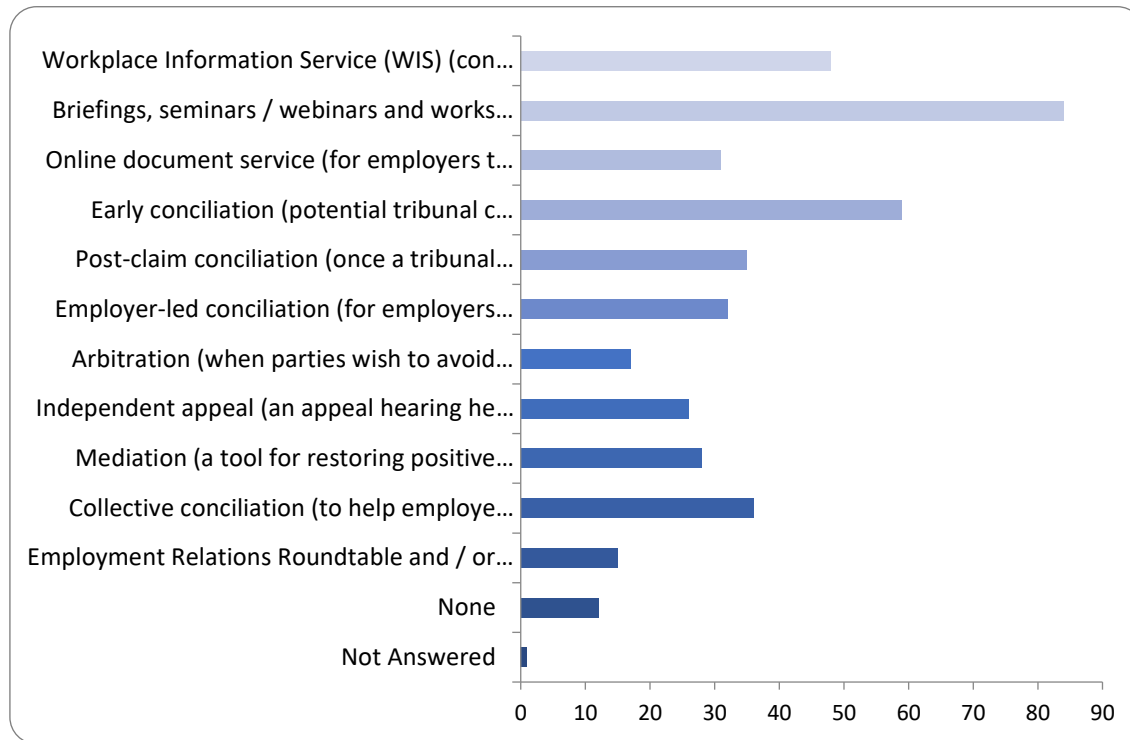
There were 119 responses to this part of the question.



Option	Total	Percent
Workplace Information Service (WIS) (confidential information and advice line)	90	75.00%
Briefings, seminars / webinars and workshops	100	83.33%
Online document service (for employers to compile workplace documentation)	68	56.67%
Early conciliation (potential tribunal claimants consider conciliation before submitting a tribunal claim)	102	85.00%
Post-claim conciliation (once a tribunal claim has been submitted, the Agency is available to settle the dispute through conciliation)	78	65.00%
Employer-led conciliation (for employers who wish to avoid the risk of a tribunal claim by using conciliation to resolve an employment matter)	84	70.00%
Arbitration (when parties wish to avoid a tribunal, the arbitration service provides a quick, confidential, non-legalistic process to resolve the matter)	91	75.83%
Independent appeal (an appeal hearing held under an employer's grievance, disciplinary, or redundancy policy)	66	55.00%
Mediation (a tool for restoring positive working relationships using a mediator to work with those in conflict or dispute)	93	77.50%
Collective conciliation (to help employers and trade unions resolve collective disputes)	83	69.17%
Employment Relations Roundtable and / or Covid-19 Engagement Forum (groups facilitated by the Agency)	48	40.00%
None	4	3.33%
Not Answered	1	0.83%

## 5: Which of the LRA services have you used or been involved with?

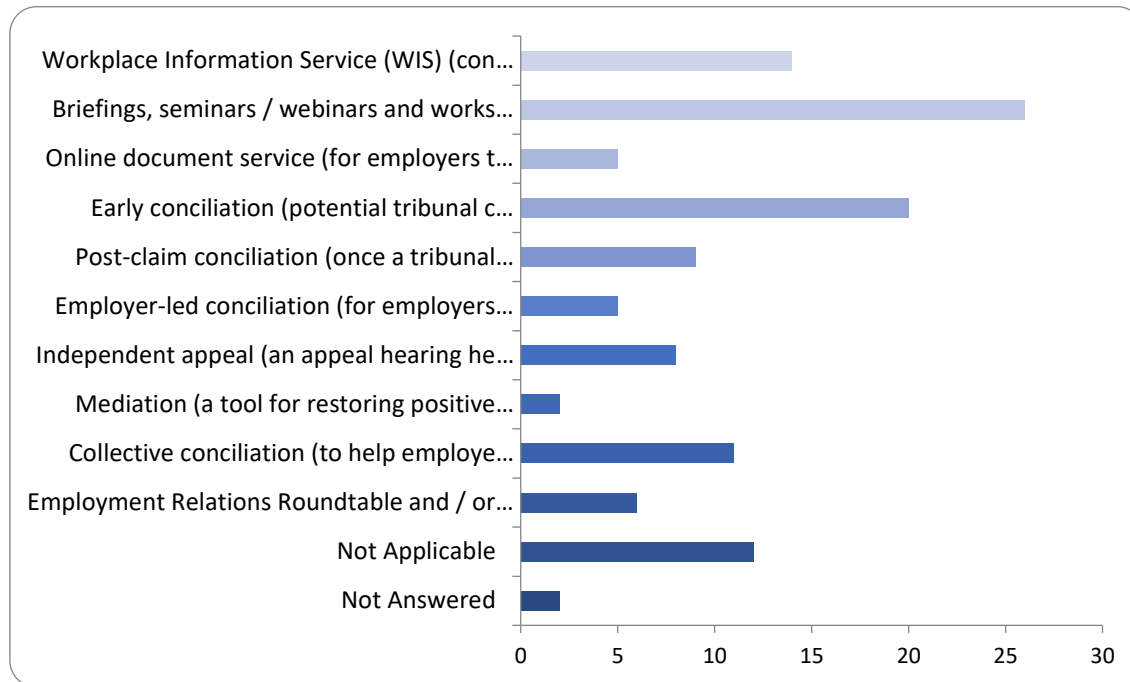
There were 119 responses to this part of the question.



Option	Total	Percent
Workplace Information Service (WIS) (confidential information and advice line)	48	40.00%
Briefings, seminars / webinars and workshops	84	70.00%
Online document service (for employers to compile workplace documentation)	31	25.83%
Early conciliation (potential tribunal claimants consider conciliation before submitting a tribunal claim)	59	49.17%
Post-claim conciliation (once a tribunal claim has been submitted, the Agency is available to settle the dispute through conciliation)	35	29.17%
Employer-led conciliation (for employers who wish to avoid the risk of a tribunal claim by using conciliation to resolve an employment matter)	32	26.67%
Arbitration (when parties wish to avoid a tribunal, the arbitration service provides a quick, confidential, non-legalistic process to resolve the matter)	17	14.17%
Independent appeal (an appeal hearing held under an employer's grievance, disciplinary, or redundancy policy)	26	21.67%
Mediation (a tool for restoring positive working relationships using a mediator to work with those in conflict or dispute)	28	23.33%
Collective conciliation (to help employers and trade unions resolve collective disputes)	36	30.00%
Employment Relations Roundtable and / or Covid-19 Engagement Forum (groups facilitated by the Agency)	15	12.50%
None	12	10.00%
Not Answered	1	0.83%

**6: Which service have you used or been involved with MOST FREQUENTLY? (Select one)**

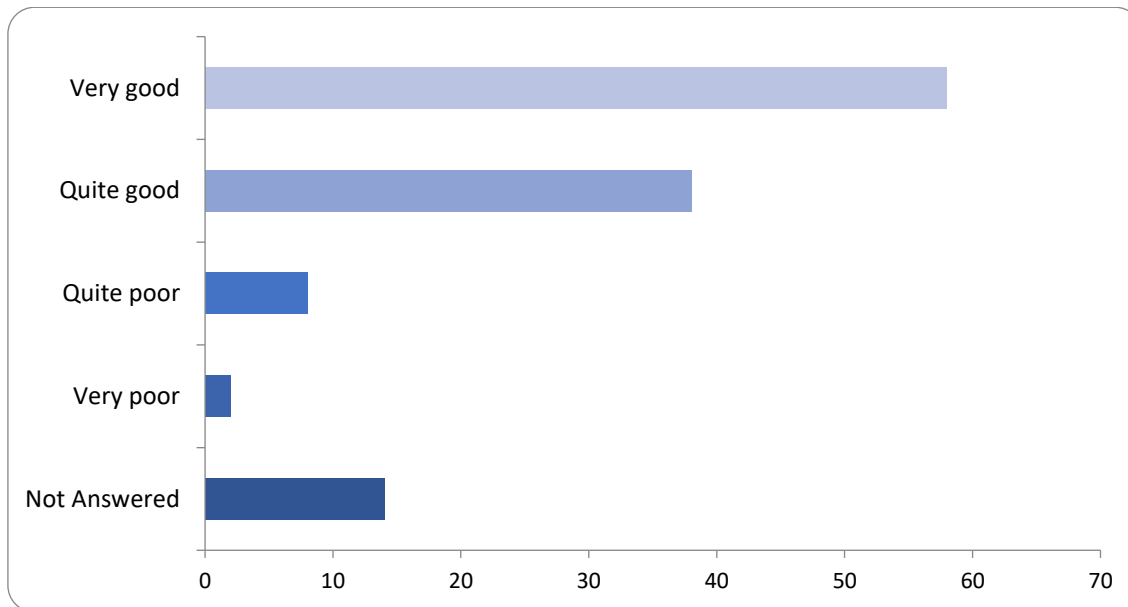
There were 118 responses to this part of the question.



Option	Total	Percent
Workplace Information Service (WIS) (confidential information and advice line)	14	11.67%
Briefings, seminars / webinars and workshops	26	21.67%
Online document service (for employers to compile workplace documentation)	5	4.17%
Early conciliation (potential tribunal claimants consider conciliation before submitting a tribunal claim)	20	16.67%
Post-claim conciliation (once a tribunal claim has been submitted, the Agency is available to settle the dispute through conciliation)	9	7.50%
Employer-led conciliation (for employers who wish to avoid the risk of a tribunal claim by using conciliation to resolve an employment matter)	5	4.17%
Arbitration (when parties wish to avoid a tribunal, the arbitration service provides a quick, confidential, non-legalistic process to resolve the matter)	0	0.00%
Independent appeal (an appeal hearing held under an employer's grievance, disciplinary, or redundancy policy)	8	6.67%
Mediation (a tool for restoring positive working relationships using a mediator to work with those in conflict or dispute)	2	1.67%
Collective conciliation (to help employers and trade unions resolve collective disputes)	11	9.17%
Employment Relations Roundtable and / or Covid-19 Engagement Forum (groups facilitated by the Agency)	6	5.00%
Not Applicable	12	10.00%
Not Answered	2	1.67%

**6B: Thinking of the service you used or have been involved with most frequently, rate the quality of the service provided by the LRA**

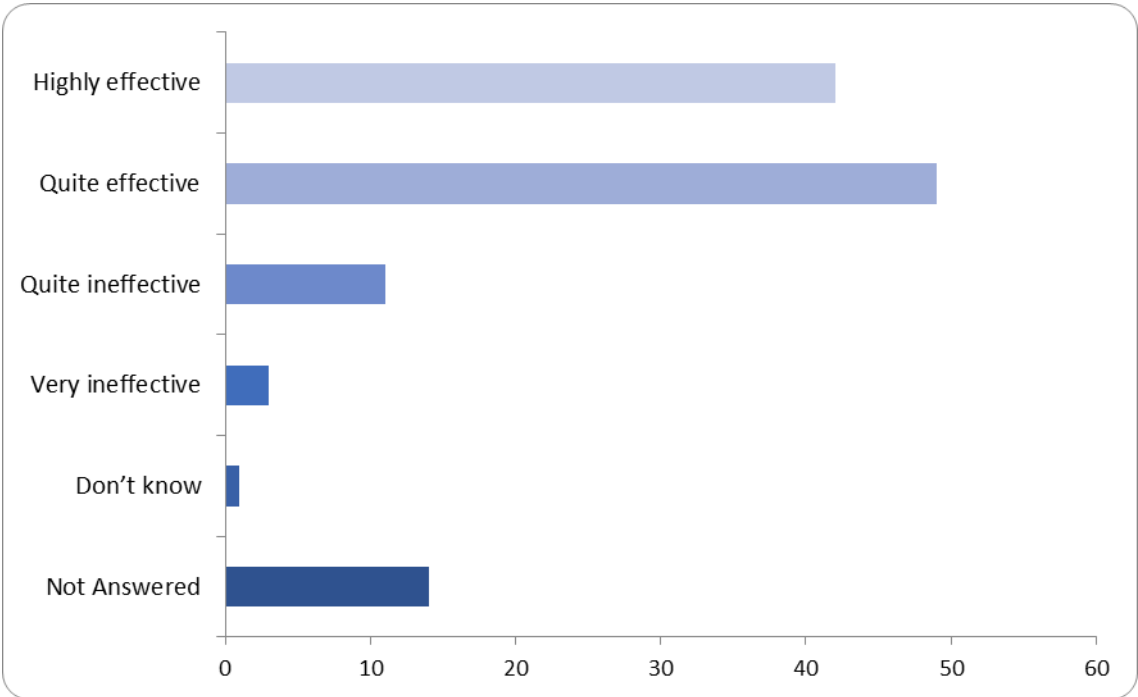
There were 106 responses to this part of the question.



Option	Total	Percent
Very good	58	48.33%
Quite good	38	31.67%
Quite poor	8	6.67%
Very poor	2	1.67%
Don't know	0	0.00%
Not Answered	14	11.67%

**6C: Thinking of the service you used or have been involved with most frequently, rate how effective the service provided by the LRA was for you / your organisation.**

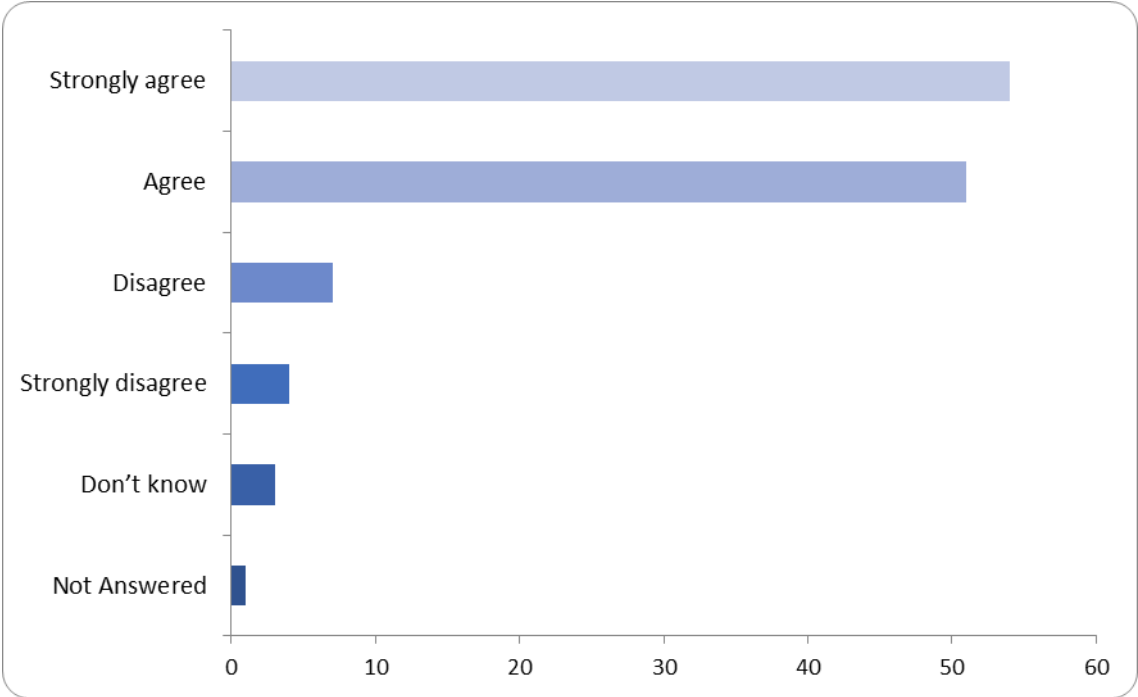
There were 106 responses to this part of the question.



Option	Total	Percent
Highly effective	42	35.00%
Quite effective	49	40.83%
Quite ineffective	11	9.17%
Very ineffective	3	2.50%
Don't know	1	0.83%
Not Answered	14	11.67%

**7: The purpose of the LRA is clear to me / my organisation**

There were 119 responses to this part of the question.



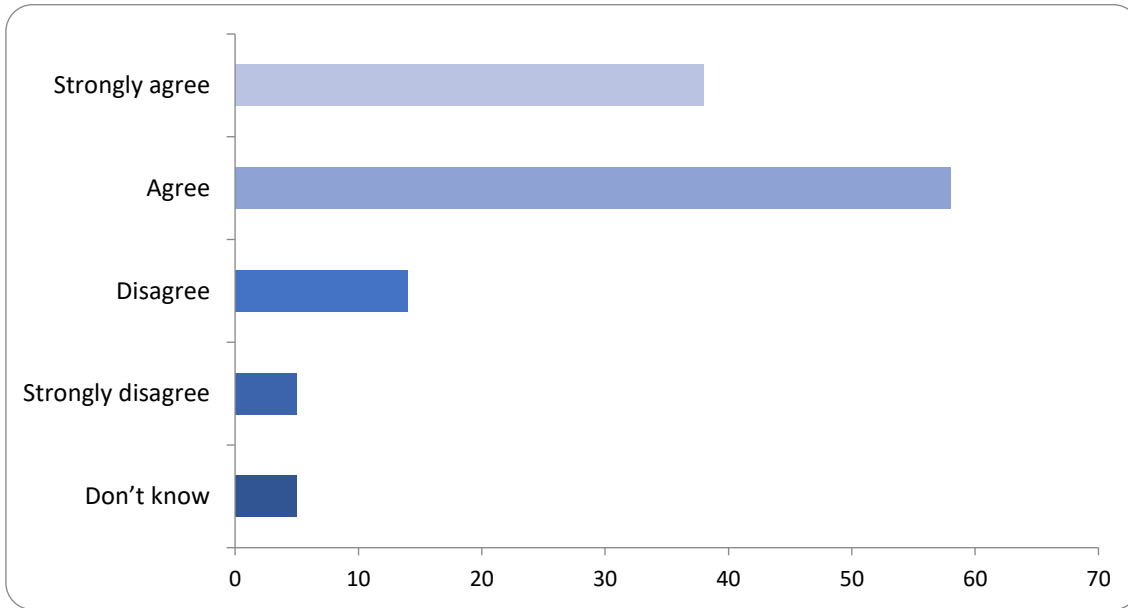
Option	Total	Percent
Strongly agree	54	45.00%
Agree	51	42.50%
Disagree	7	5.83%
Strongly disagree	4	3.33%
Don't know	3	2.50%
Not Answered	1	0.83%



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### 8: The name and brand of the LRA clearly communicates what the Agency does

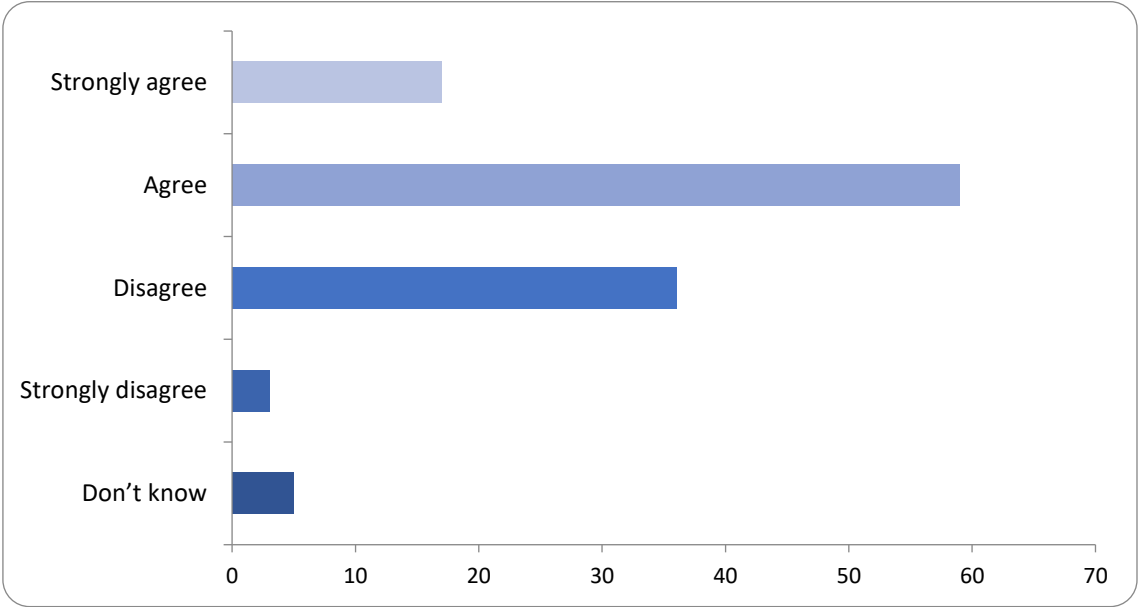
There were 120 responses to this part of the question.



Option	Total	Percent
Strongly agree	38	31.67%
Agree	58	48.33%
Disagree	14	11.67%
Strongly disagree	5	4.17%
Don't know	5	4.17%
Not Answered	0	0.00%

**9: The LRA effectively promotes its range of services**

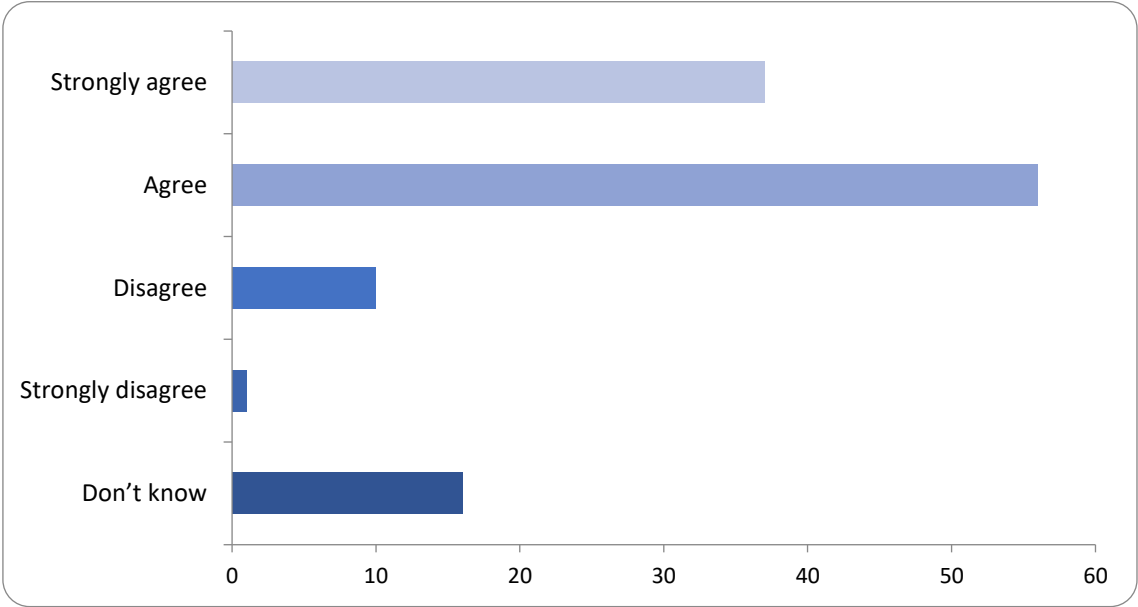
There were 120 responses to this part of the question.



Option	Total	Percent
Strongly agree	17	14.17%
Agree	59	49.17%
Disagree	36	30.00%
Strongly disagree	3	2.50%
Don't know	5	4.17%
Not Answered	0	0.00%

**10: The LRA has a positive impact on employment relations in Northern Ireland**

There were 120 responses to this part of the question.

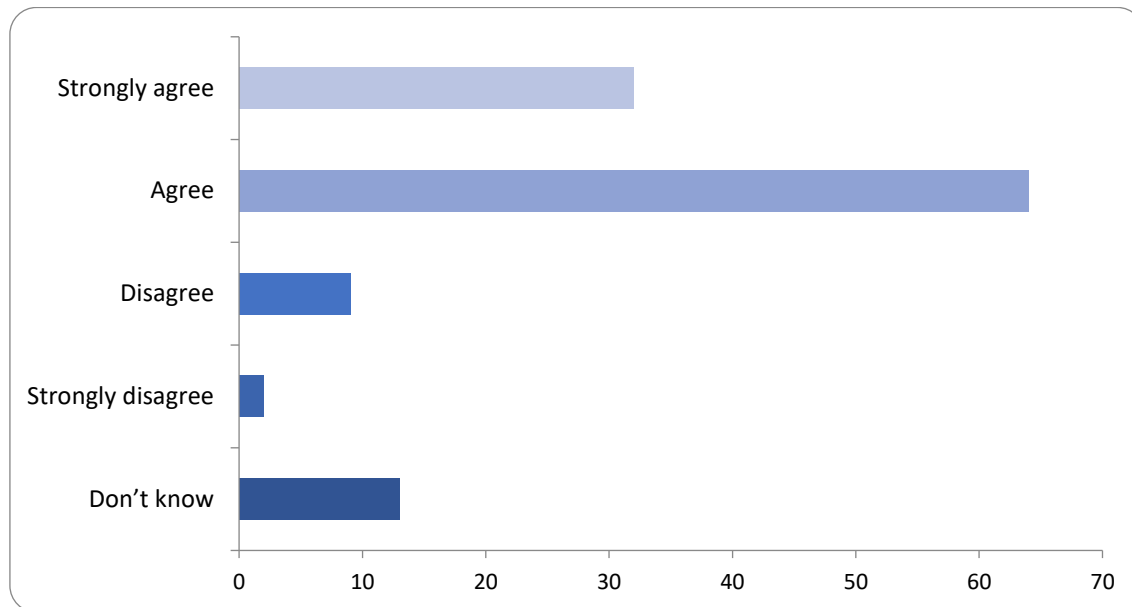


Option	Total	Percent
Strongly agree	37	30.83%
Agree	56	46.67%
Disagree	10	8.33%
Strongly disagree	1	0.83%
Don't know	16	13.33%
Not Answered	0	0.00%

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### 11: The LRA is effective in promoting good practice in the workplace

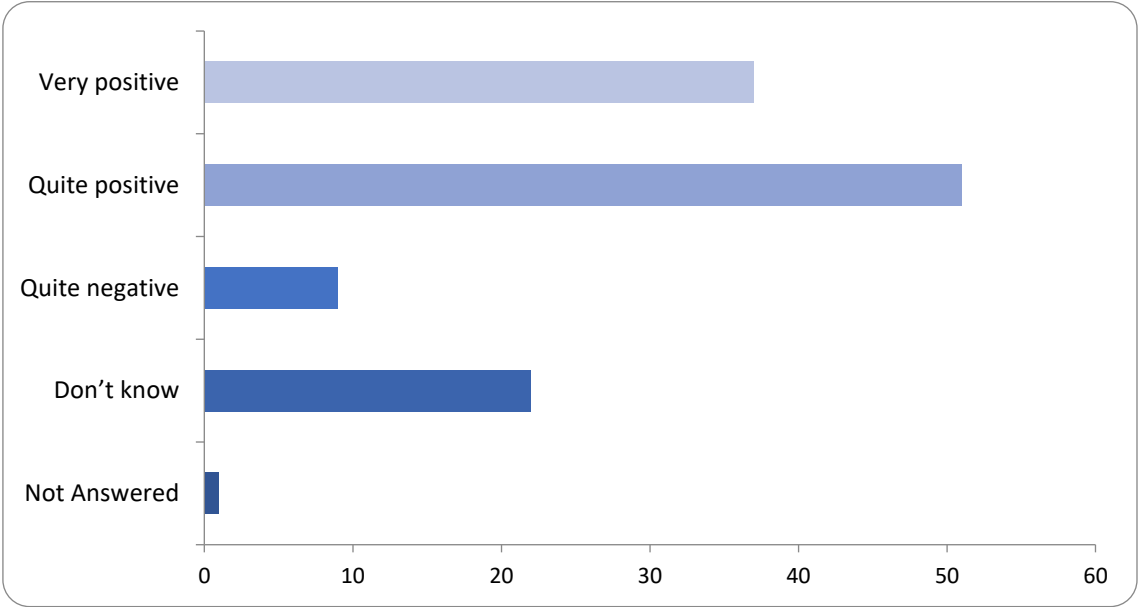
There were 120 responses to this part of the question.



Option	Total	Percent
Strongly agree	32	26.67%
Agree	64	53.33%
Disagree	9	7.50%
Strongly disagree	2	1.67%
Don't know	13	10.83%
Not Answered	0	0.00%

**12: Overall, when I have engaged the LRA the difference to me / my organisation has been:**

There were 119 responses to this part of the question.



Option	Total	Percent
Very positive	37	30.83%
Quite positive	51	42.50%
Quite negative	9	7.50%
Very negative	0	0.00%
Don't know	22	18.33%
Not Answered	1	0.83%

**13: Can you give an example of where the LRA has made a difference for you or your organisation?**

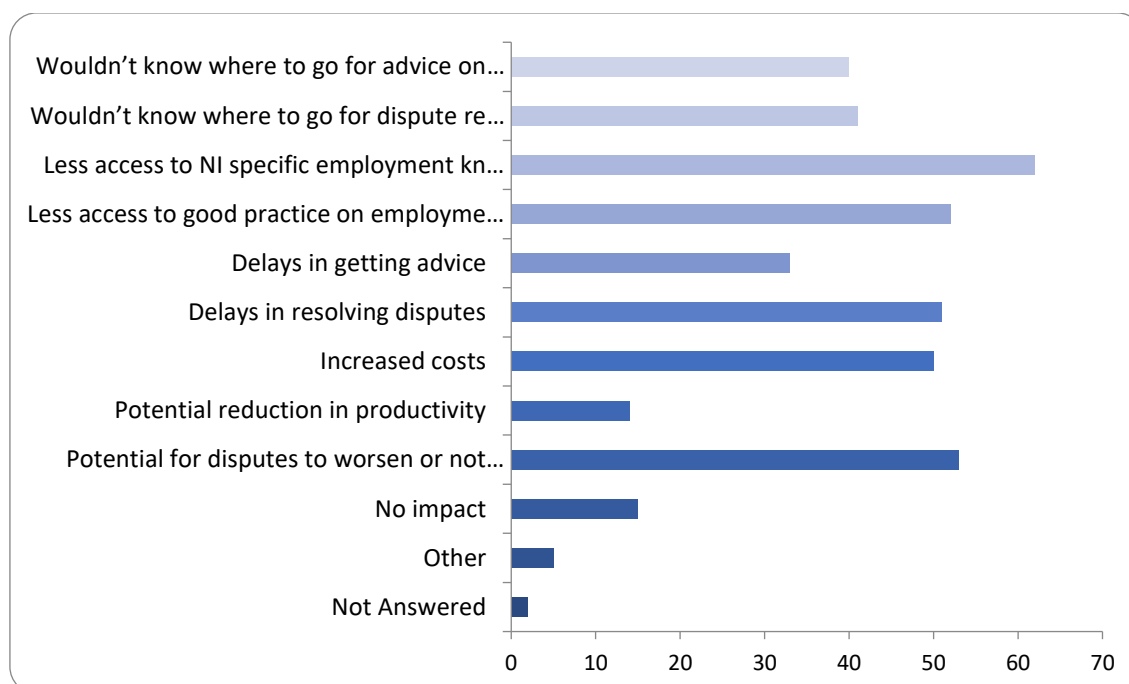
There were 73 responses to this part of the question.

Key themes from the comments include:

- Experiences of dispute resolution service
- Experiences of advisory services, including training and best practice advice
- Experiences of the NI Engagement Forum during Covid-19

**14: What, if any, would the impact be to you or your organisation if the services of the LRA did not exist?**

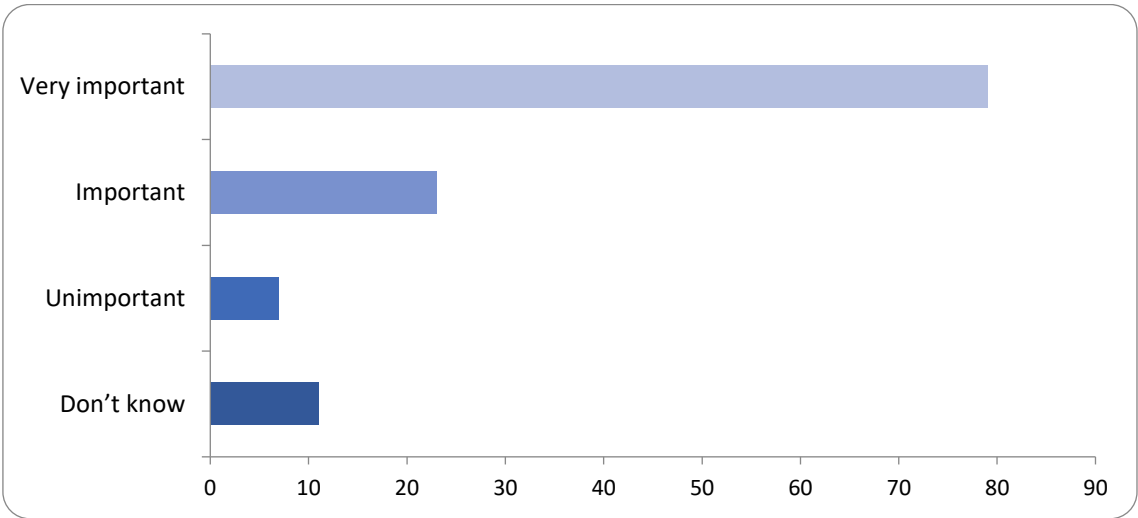
There were 118 responses to this part of the question.



Option	Total	Percent
Wouldn't know where to go for advice on employment relations	40	33.33%
Wouldn't know where to go for dispute resolution support	41	34.17%
Less access to NI specific employment knowledge	62	51.67%
Less access to good practice on employment relations	52	43.33%
Delays in getting advice	33	27.50%
Delays in resolving disputes	51	42.50%
Increased costs	50	41.67%
Potential reduction in productivity	14	11.67%
Potential for disputes to worsen or not be resolved	53	44.17%
No impact	15	12.50%
Other	5	4.17%
Not Answered	2	1.67%

**15: To what extent, do you think it is important for the LRA to remain independent from the Department for the Economy?**

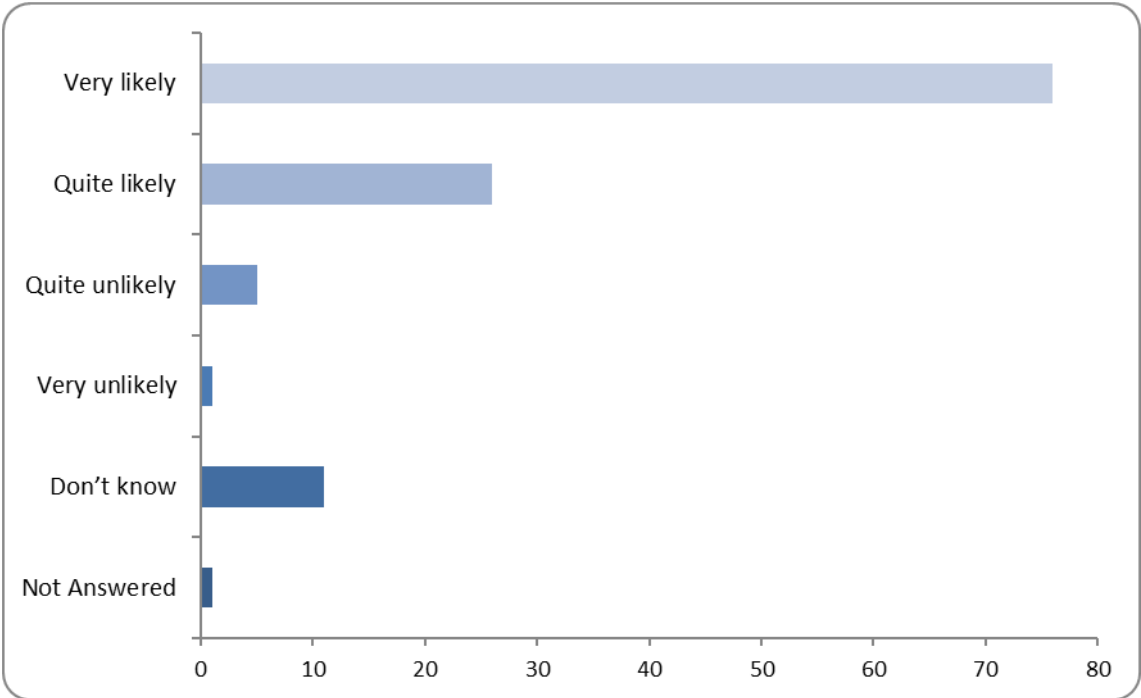
There were 120 responses to this part of the question.



Option	Total	Percent
Very important	79	65.83%
Important	23	19.17%
Unimportant	7	5.83%
Very unimportant	0	0.00%
Don't know	11	9.17%
Not Answered	0	0.00%

**16: What is the likelihood that you or your organisation will engage with the services of the LRA in the next 5 years?**

There were 119 responses to this part of the question.

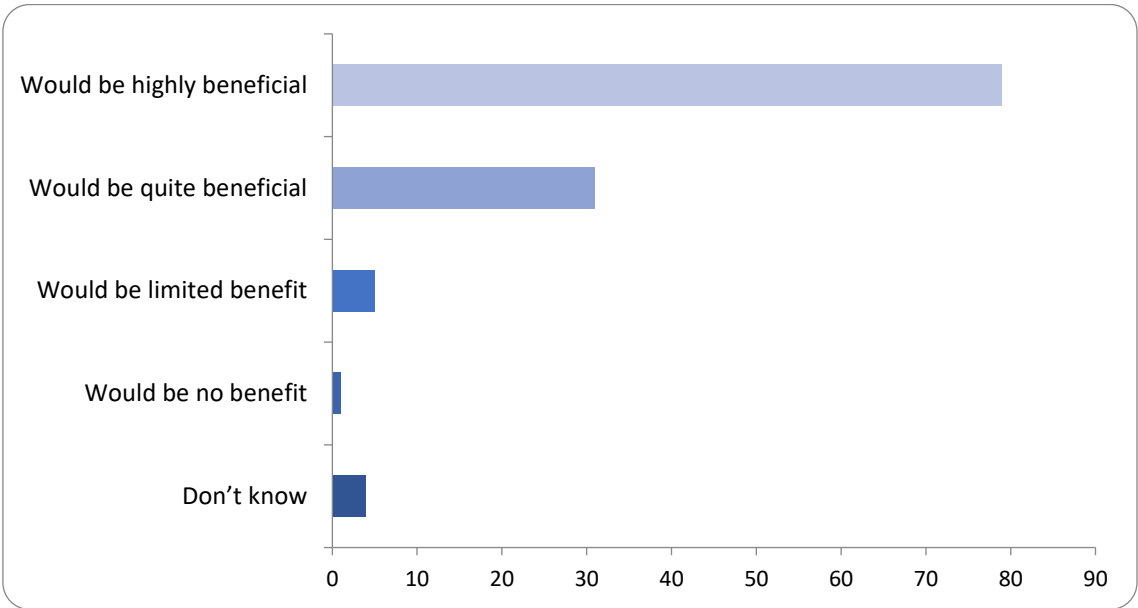


Option	Total	Percent
Very likely	76	63.33%
Quite likely	26	21.67%
Quite unlikely	5	4.17%
Very unlikely	1	0.83%
Don't know	11	9.17%
Not Answered	1	0.83%



**17: To what extent, do you think organisations in Northern Ireland would benefit from greater support on how to prevent future disputes?**

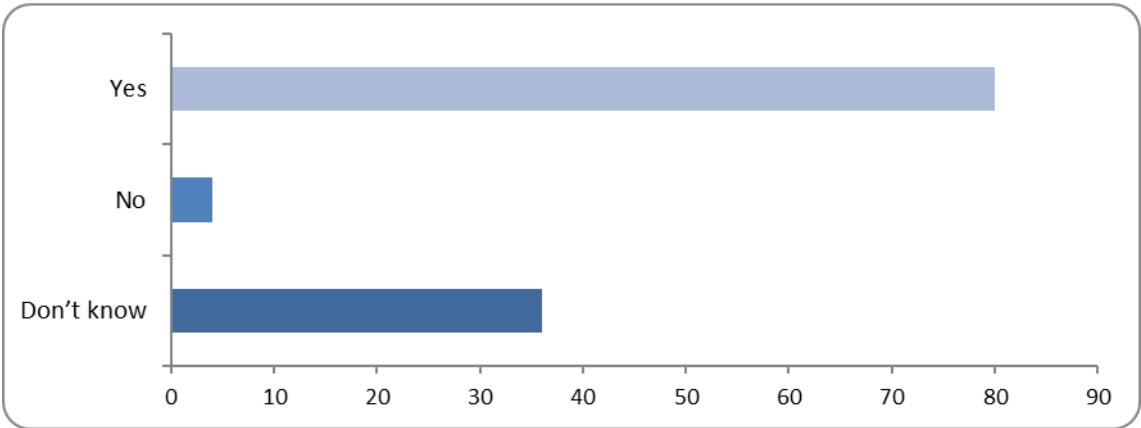
There were 120 responses to this part of the question.



Option	Total	Percent
Would be highly beneficial	79	65.83%
Would be quite beneficial	31	25.83%
Would be limited benefit	5	4.17%
Would be no benefit	1	0.83%
Don't know	4	3.33%
Not Answered	0	0.00%

**18: Do you think there is an opportunity for the LRA to expand their digital / online services?**

There were 120 responses to this part of the question.



Option	Total	Percent
Yes	80	66.67%
No	4	3.33%
Don't know	36	30.00%
Not Answered	0	0.00%

**18B: Why do you say this?**

There were 62 responses to this part of the question.

Key themes from the comments include:

- Utilising AI/Chat Bot style advice; live online chat with advisors; or a text messaging service.
- Improving the website to make it more user friendly and easier to navigate. References to providing more advice online, expanding the documents available and including short videos.
- Further use of webinars and remote training options.
- Improving social media presence.

**19: In your view, what are key strengths of the LRA?**

Area	Findings
<b>Strengths</b>	<p><b>48 comments on independence/impartiality/neutrality</b></p> <p>“Providing independent advice to employers and employees - seen as an independent body” (Private sector employer)</p> <p>“It's independence gives assurance and comfort to the two main parties that engage their services (trade unions and employers) that a professional and unbiased service is available for advice and assistance in resolving disputes” (Trade union)</p> <p><b>39 comments on knowledge/expert advice</b></p> <p>“Experienced staff with a breadth and depth of knowledge” (Trade union)</p> <p><b>18 comments on advisory services</b> – referring to seminars, website, outreach, documentation, events and resources.</p> <p>“High quality advice and guidance for employing organisations as well as advice for individuals and collective bodies in an increasingly litigious social economy” (Other)</p> <p><b>18 comments on dispute services</b> – referring to mediation and conciliation</p> <p>“Support for employees in understanding the law and process” (Legal professional)</p> <p>“Focus on resolving issues at earliest opportunity” (Public sector employer)</p> <p><b>15 comments on accessible/free access</b></p> <p>“Cost in the charity sector is a particular issue and the access to free advice is instrumental” (Charity employer)</p> <p>“They are able to support small businesses with services which would otherwise have to be sought through industry bodies/legal firms/independent practitioners” (Private sector employer)</p> <p><b>14 comments on NI specific knowledge</b> – of employment legislation and of ‘local knowledge’ regarding the NI economy and organisations</p> <p>“NI based and therefore relevant employment law. Knowledgeable of the working environment and can advise appropriately. Knowledgeable of the local area and how it can affect your organisation” (Private sector employer)</p> <p><b>13 comments on staff</b> – referring to being customer focused, flexible, helpful, highly skilled, approachable and engaging.</p> <p>“They have a highly skilled set of staff who are highly effective at dealing with queries. They are collaborators and work well with other public sector bodies to develop policies, practices and procedures” (Public sector employer)</p> <p>“Expert knowledge, but also staff who are engaging” (Public sector employer)</p>

**20: In your view, how could the LRA continue to improve its services?**

Area	Findings
Improvements	<p><b>20 comments on awareness/promotion</b> – referring to more visibility, improving marketing, a greater public profile, improving awareness of services, and promotion to SMEs.</p> <p>“Get out in the community more so that non-employment law/HR know more about what they offer” (Private sector employer)</p> <p>“Awareness raising is key as all too often we hear that people were unaware of the support and advice services available to them” (Public sector employer)</p> <p>“Greater awareness of the services that the LRA provide ... especially with SME’s” (Trade union)</p> <p><b>18 comments on more services</b> – largely focused on more training and webinars, with some referring to more resources to deliver their services</p> <p>“They are clearly under pressure and could deliver even better value for money if they could afford more staff. They have a lot of conciliation work, which holds back dispute prevention, which, in turn, creates more conciliation work” (Other)</p> <p>“Increased training to management on dispute resolution” (Public sector employer)</p> <p>“Investigate the ability to provide more specific advice and guidance to small employers without a HR function” (Other public sector body)</p> <p><b>17 comments on improving advisory services</b> - focused on improving the website (with examples of Acas and CIPD given) and increasing document templates available.</p> <p>“If you compare with Acas for example, the service provision regarding template documents is limited - there are 14 documents on the LRA website and they are hard to find, and are a strange and random mix of documents across a range of topics” (Other)</p> <p>“Better, more user friendly website with more information on it - it should be akin to the Acas website only for NI” (Private sector employer)</p> <p><b>7 comments on dispute resolution improvements</b> – referring to the timeliness for contact from a conciliation officer and on improving Independent Appeals.</p> <p>“Timeliness - speed of access to conciliation officers or dispute resolution must be quicker. Officers must be available to start conversations on same day or next” (Public sector employer)</p> <p>“Online services to be available, particularly for independent appeal. This includes option for electronic submissions, virtual meetings and the outcome delivered electronically” (Public sector employer)</p> <p><b>7 comments on becoming more proactive</b></p> <p>“It needs space to think and be proactive, rather than being reactive due to the pressures from individual and collective disputes. It could do more in the areas of research and best practice” (Other)</p>



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