

MINUTES OF THE 484th MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD ON 19 MAY 2023 AT 9.30AM
AT THE LABOUR RELATIONS AGENCY HEAD OFFICE,
JAMES HOUSE, 2-4 CROMAC AVENUE, BELFAST, BT7 2JA

Present: Gordon Milligan (Chair)
Geraldine Alexander
Clare Duffield
Kevin McCabe
Lee Wilson

In Attendance: Don Leeson Chief Executive
Mark McAllister Director of Employment Relations
Paul Lowe Director of Corporate Services
Christine Magill Boardroom Apprentice
Oliver Murray Executive Assistant
Julie Ann Donnelly Communications Manager

Apologies: John Taylor

The Board meeting was preceded by an 'in-camera' discussion between Board members and a team from the Department of Finance's Business Consultancy Service who are carrying out a review of the Agency (see paragraph 1.7).

Declarations of Interest: None

1. Chair's Opening Remarks

- 1.1 The Chair welcomed the Communications Manager to the Board meeting, which she was observing as part of her induction programme. It was agreed that it would be helpful for the Board to be updated on the number of followers on the Agency's social media channels.

Action: Communications Manager

- 1.2 It was noted that the Board appointments of Deirdre Fitzpatrick, Michelle McGinley, Jill Minne and Daire Murphy ended on 31 March 2023. It is understood that, in the absence of a Minister for the Economy, legislation is being prepared to give the Secretary of State for Northern Ireland authority to appoint new Board members and/or extend the appointments of previous Board members.

- 1.3 The Board noted that Standing Orders require the attendance of '50%+1' of the current cohort of members for a meeting to be quorate i.e. four including the Chair. In light of the reduced cohort, the Chair noted increased onus on current Board members to maximise attendance at Board and committee meetings to ensure governance standards are maintained during this transitional period.
- 1.4 The Board agreed in principle a proposal that the Standing Order relating to the involvement of members from the Board's three constituent parts in decision-making be suspended where an urgent decision is required. This interim measure would only be used in exceptional circumstances where no Board members from a specific constituency had been unable to express views on a matter beforehand, were absent from the meeting, and there was no time for consultation afterwards. Members will be invited to re-ratify the decision to suspend this Standing Order at the Board meeting where the need arises.
- 1.5 The Board agreed a proposal to, subject to DfE advice, invite Deirdre Fitzpatrick to attend the June 2023 Audit and Risk Assurance Committee (ARAC) meeting. This is to ensure continuity, given her role as Committee Chair throughout 2022-23, for what is the most important Committee meeting in the calendar.
- Action: Chief Executive**
- 1.6 The Chair outlined plans for an externally-facilitated Risk Workshop, involving Board and Senior Management Team members, immediately following this meeting. It was noted that this annual workshop is normally conducted with ARAC members; this year, the workshop involves all Board members, given the reduced cohort. Discussions at the workshop will inform the development of the Corporate Risk Register for 2023-24. The Risk Register, and any other actions from this event, will be presented to the ARAC and Board meetings in June 2023 for consideration.
- Action: Director of Corporate Services**
- 1.7 Board members noted the positive engagement with the BCS team reviewing the role of the Agency, which is being conducted as part of a commitment in the Executive agreement, 'New Deal, New Approach'. It was agreed to invite the team to present their findings to the Board once the review has been completed.

Action: Chief Executive

2. Minutes of Previous Board Meeting

- 2.1 Minutes of the Board Meeting held on 29 March 2023 (paper BP01-05/23) were agreed as an accurate record of the meeting for publication on the Agency's website.

Action: Executive Assistant

3. Action Points from Previous Board Meetings

- 3.1 The Chief Executive presented the progress report on actions from previous Board meetings (paper BP02-05/23), which was noted by the Board.
- 3.2 The Chief Executive reported that development of a Public Affairs Strategy is currently a low priority due to the suspension of the Assembly. The need for this will be reviewed in light of any change in the political context.
- 3.3 The Chief Executive reported that the Agency is in discussion with another body about collaborating to promote the value of mediation to resolve interpersonal workplace disputes. This might include a development event for mediators; this is provisionally scheduled for 25 January 2024. Arrangements will be confirmed during the summer.

Action: Chief Executive

- 3.4 The Chief Executive reported that ReWAGE, on which the Agency is an Advisory Group member, has agreed to arrange the preparation of a summary of the Cost of Conflict research report. The full research report, which was showcased at the Agency's conference in February 2023, is being prepared for publication.

Action: Communications Manager/Chief Executive

- 3.5 The Board noted that a revised draft Partnership Agreement has been received from the Department for the Economy (DfE). This will be reviewed by the Senior Leadership Team and any comments forwarded to DfE. It is envisaged that a final version of the Agreement will be presented to the Board for approval later in the year.

Action: Director of Corporate Services

- 3.6 An update was given on progress in establishing a working group of stakeholders to seek to agree new governance arrangements for the conduct of independent appeals. Early responses to the Agency's proposal have been positive. The closing date for nominations from stakeholders is 31 May 2023.

Action: Director of Employment Relations Services

4. Chief Executive's Report

4.1 The Chief Executive presented the report (paper BP03-05/23), which was noted by the Board.

4.2 Board members noted that staff took part in strike action called by NIPSA in protest at the NI Civil Service pay award on 26 April 2023. In the meantime, the Agency has prepared the pay remit for DfE approval to implement the pay award; it is anticipated that the award and any arrears due will be reflected in staff salaries for May 2023.

Action: Director of Corporate Services

4.3 The Board noted the Agency's provisional funding allocation from DfE for 2023-24. While this has not yet been formally confirmed, a budget will be prepared for approval at the June 2023 Board meeting.

Action: Director of Corporate Services

4.4 The Chief Executive updates the Board on the transformation programme. This 'reimagining' of the Agency includes a proposal for possible renaming and rebranding. Staff are currently being consulted on this; the results will be presented to the Board. It was noted that, if a possible new name is agreed upon through discussions with staff and Board members, and consultation with stakeholders, a business case will be developed for Board and DfE consideration. This will include a detailed appraisal of the benefits and risks, and costs, of a change in name.

Action: Chief Executive

4.5 The Director of Employment Relations Services provided an update on the number of collective conciliations currently being facilitated by the Agency to resolve industrial disputes. These continue to be at a high level.

5. Annual Report and Accounts for 2022-23

5.1 The Senior Leadership Team presented the paper, which contained the Performance and Accountability Reports of the Annual Report and Accounts for 2022-23 (paper BP04-05/23). It was noted that these are the main narrative sections of the Annual Report and Accounts and are tabled at this stage to allow Board members an opportunity to make changes before they are submitted for external audit.

5.2 The Chief Executive drew the Board's attention to the increased level of sick absence experienced by staff during the year. This was largely caused by long term absences of a small number of staff. The Board was briefed on the measures taken by the Agency to support colleagues with long term health conditions.

5.3 The Board approved the draft reports for submission to the NI Audit Office. Following audit, the reports will be incorporated with the Financial Statements into the final version of the Annual Report and Accounts for 2022-23 for detailed consideration by ARAC on 12 June and subsequent approval at the June 2023 Board meeting.

Action: Chief Executive

5.4 The Board expressed their appreciation to the staff of the Agency for their achievements during the year, which were in the context of high demand for collective conciliation services and the upheaval caused by Head Office relocation.

6. End-Year Assurance Statement

6.1 The Chief Executive presented the End Year Assurance Statement for 2022-23, which he prepared for DfE in his capacity as the Agency's Accounting Officer (paper BP05-05/23), for noting by the Board.

6.2 The Board noted that the Assurance Statement includes a checklist of expected practice and an explanation of areas of non-compliance. The End Year Assurance Statement identifies five areas of non-compliance. While not all are the sole responsibility of the Agency to address, progress has been made towards ensuring compliance and there is a clear pathway set out for achieving this.

7. Finance and Personnel Committee Report on Meeting held on 2 May 2023

7.1 The Chair of the Finance and Personnel Committee presented the report on the meeting held on 2 May 2023 (paper BP06-05/23), which was noted by the Board.

8. Board Effectiveness Self-Assessment

8.1 The composite results from the Board Effectiveness Self-Assessment exercise (paper BP07-05/23) were noted by the Board.

8.2 The results show improvement from last year's exercise, with 23 of the 25 good practice indicators having been met or exceeded, albeit with a smaller cohort of Board members.

8.3 It was agreed to review governance arrangements at a Board Strategy Day, which will be organised once new Board members are in place. Senior DfE colleagues will be invited to attend, as they did at last year's Strategy Day.

Action: Chief Executive

9. Any Other Business

9.1 There was no other business.

10. Date of Next Meeting

10.1 The next Board meeting will be on 23 June 2023 at 10.30am in James House.

Action: Executive Assistant

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