

MINUTES OF THE THREE HUNDRED AND FIFTY FIFTH MEETING OF THE
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 am
ON FRIDAY, 30 APRIL 2010
IN THE AGENCY'S OFFICES, 2-8 GORDON STREET, BELFAST

Present: Jim McCusker (Chair)
Peter Williamson
Neal Willis
Trevor Morrow
Patricia O'Farrell
Sally McKee
Gordon Parkes
Brenda Maitland
Lyn Fawcett

In Attendance: Bill Patterson (Chief Executive)
David McGrath (Director, Advisory Services)
Gerry O'Neill (Director, Corporate Services)
Anne Gunning (Minutes Secretary)

1. Apologies

Action

An apology was received from Penny Holloway.

2. Minutes of Previous Meeting held on 24 February 2010

The minutes of the meeting held on 24 February 2010 were proposed by Gordon Parkes, seconded by Neal Willis, and agreed as a true and accurate record of the meeting.

3. Matters Arising from the Previous Minutes not listed on this Agenda

4.5 Joint LRA/LRC Board Meeting

CEO confirmed that he would be following up the joint meeting with Kieran Mulvey LRC CEO.

CEO

7.1 Corporate Plan 2010-13

7.2 Business Plan 2010-11

It was noted that in light of the publication of the DEL Review of Disputes Resolution document and the pending DEL Review of the Agency, the SMT will be reviewing the Business Plan for 2010-11.

SMT

4. Chairman's Business

4.1 Declaration of Board Member Interests

No interests were declared by members.

4.2 Board Conflicts of Interest

It was noted that the Chairman and CEO met with June Ingram, DEL on 4 March to discuss conflicts of interest in relation to Board appointments. The Department highlighted the revised Conflict of Interest Policy for Ministerial Appointments issued by the Office of Public Appointments. It was noted that the Department are to review the appointment documentation including the selection criteria and forward to the Chairman for consideration.

Chairman

4.3 Board Vacancy

It was noted that the appointment process for the current Board vacancy was in process as set out above at Para 4.2.

4.4 Meeting with Permanent Secretary – 10 March 2010

It was noted that the meeting covered the Agency's overall programme of work but more particularly the areas of concern regarding the DEL Review of Dispute Resolution i.e. staff protections and the right of appeal from statutory arbitration.

4.5 Board Visit to European Foundation 31 March 2010

It was agreed that the visit had been useful and interesting. It was a good opportunity for the Board to think outside its normal framework. It was agreed that a future visit would be considered.

It was noted that Trevor Morrow is taking a group of Masters students to the Foundation in the near future, and agreed to inquire if any employment relations research which they carry out could be regionalised to provide Northern Ireland data.

TM

4.6 Joint LRA/LRC Board Meeting

It was noted that a joint informal meeting with members of the Board of the Labour Relations Commission took place after the European Foundation visit. It was agreed that the meeting was useful in terms of re-kindling relationships with the Commission. Board members had been appraised on current ROI employment relations issues. It was noted that a more formal meeting will be followed up in the future.

Chairman

4.7 Joint LRA/Equality Commission Meeting

It was noted that the joint LRA/EC meeting will be held on Thursday, 20 May 2010 at 11.00am in the Mount Business & Conference Centre.

CEO

There will be presentations from both organisations around ADR and the DEL Review of Dispute Resolution.

It was agreed that the LRA Board Meeting will be held in the Mount before the joint meeting and will begin at 9.30 am.

Secretariat

4.8 Board Meeting in Londonderry

It was agreed that the June Board Meeting will be held in Londonderry on 24 June 2010, beginning at 10.30 am.

Secretariat

4.9 Board Member Training – verbal evaluation reports

Following discussion it was agreed to hold a Board Risk Management Training day with the Auditors, ASM Horwath, on Thursday, 26 August. This would be a half day event following the August Board Meeting. The venue is to be arranged.

Secretariat

Brenda Maitland reported on a Media training event, “*Making the Sound Bite Count*”, which she had attended on 11 March in the BBC Blackstaff Studios. The course covered how to present yourself and your organisation on television and radio.

5. Research Committee

The Chairman reported that the Committee had discussed the launch of the LRA Annual Report 2009/10 on 29 October 2010. This will be followed by a public lecture to be given by Ed Sweeney, ACAS.

The Committee also discussed -

- Economic and social impact of Agency services;
- Evaluation of Agency Services;
- Individual Conciliation and Tribunal Research;
- New QUB replacement for Jimmy Donaghey.

6. Conference Sub-Committee

6.1 Meetings held on 16 March and 1 April 2010

The Chairman confirmed that the LRA Conference would be held on 23 September 2010 in the Stormont Hotel. The Minister, Sir Reg Empey, has been invited to speak at the opening of the Conference and it is hoped that Alan Shannon, Permanent Secretary, will be the closing speaker. Keynote addresses will be given by Terence Brannigan, Chairman CBI NI and John Monks, General Secretary of ETUC. There will be four workshops, chaired by Board Members. The CEO is in the process of identifying workshop speakers. The Agency’s Public Relations Consultants are in process of contacting employment spokespersons from the main political parties to form a panel, which will be chaired by a media personality.

7. Audit Committee

7.1 *Minutes of the Audit Committee Meeting held on 14 October 2009*

The minutes of the meeting held on 14 October 2009 were ratified by the Board.

7.2 *Meeting held on 18 March 2010*

The following matters arising from the Risk Register were discussed:

- Configuration report tests on 12 March;
- Removable storage devices – e.g. personal pen drives;
- Control of laptop security;
- Software licensing;
- IC Case Management System;
- Absence procedures.

It was also noted that:

- the ASM Horwath contract will terminate in December 2010;
- External Auditors accounts have been favourable;
- the financial statements have been prepared and will be available for the joint Audit/F&P Meeting on 12 May.

The Board discussed the condition of the Case Management System. Members shared the concerns and the importance of ensuring that the system is renewed as quickly as possible to meet the needs of the Agency. It was agreed that this is an unacceptable risk. It was noted that a high level business case has been prepared for replacing the system and there will be a tendering exercise carried out.

DCA/DCS

The Board also expressed concern at the lack of agreed absence procedures. It was noted that absence management training is to be undertaken.

DCS

It was noted that the joint Audit and F&P Committee meeting and the ADR Seminar are running on consecutive days in May. This has caused problems for some members of the Board. It was agreed that the schedule of meetings for the rest of the year will be sent out to Board Members.

Secretariat

8. Chief Executive's Business

8.1 *Code of Practice on Time Off for Trade Union Duties and Activities*

The DAS introduced the paper. Following discussion the Board agreed that the draft Code be issued for consultation.

DAS/CEO

8.2 *Review of Dispute Resolution in NI*

It was noted that this topic is to be considered at a special session of the Board following its formal meeting.

8.3 *DEL Review of the Agency*

It was noted that the CEO has not yet received the draft report for a response.

8.4 *DEL ALB Review*

It was noted that the CEO has not yet received the first draft of the Review.

8.5 *ADR Seminar*

It was noted that arrangements are in place for the seminar on 13 May in the Hilton Hotel. There will be approximately 95 attendees representing the public sector, Trade Unions and the private sector.

Board Members were asked to confirm whether or not they will be attending.

Board Members

8.6 *Accommodation*

It was noted that Corporate Services section will be moving out of the ground floor into Unit 1 the following week to allow for the refurbishments of the premises to begin.

8.7 *Review of LRA Public Relations*

It was noted that the Agency is currently reviewing its public relations programme. A more strategic approach to PR is to be taken. An update of the PR programme will be submitted to the Board in September 2010.

CEO

8.8 *Continuous Improvement*

It was noted that an internal Agency "health check" of IiP is planned for September 2010, a year in advance of the time for re-submission. It is proposed that an action plan will be in place by October.

DCS

8.9 *RPA*

It was noted that there was nothing further to report.

8.10 *Equal Pay Audit*

It was noted, as indicated by DFP, that before the Agency can pay the new scales for AA/AO/EOII grades, a business case and legal advice will be required. These are being pursued.

It was noted that there are approx 9,000 pending equal pay conciliation cases on the Agency's files. This will be demanding work for the organisation and will impact on the business plan. The CEO is considering additional short-term resource for the IC section.

CEO/DCA

8.11 Bi-monthly Management Report

It was noted that the CEO had received communication from June Ingram DEL with regard to a request to carry-over funds of £562,000. DEL was withholding £280,000 as it was considered that this sum was not committed. The £280,000 would however be made available to the Agency as and when a suitable business case was submitted.

CEO

9. Corporate Correspondence Received Relevant to Board

9.1 Letter dated 15 March 2010 from DEL Employment Relations Policy and Legislation Branch re The Trade Union Ballots & Elections Order & The Recognition and Derecognition Ballots Order

Contents noted.

9.2 CIPFA Training Bulletin May 2010

Members were advised that if they are interested in any of the training listed, they should contact the Secretariat for booking details.

9.3 CIPFA Governance Conference – Effective governance in good times and bad – 3 June 2010, Hilton Hotel, Templepatrick

Noted.

10. Any Other Business

There was no other business reported.

11. Date of Next Meeting

The next meeting of the Board will be held on **Thursday, 20 May 2010 commencing at 9.30 am in the Mount Conference Centre, 2 Woodstock Link, Belfast.**

The Board Meeting will be followed by the joint LRA/ECNI meeting at 11.00 am. Lunch will be provided at 1.00 pm.