

**MINUTES OF THE THREE HUNDRED AND FORTY THIRD MEETING OF THE
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 AM
ON FRIDAY, 27 FEBRUARY 2009
IN THE AGENCY'S OFFICES, 2-8 GORDON STREET, BELFAST**

Present: Jim McCusker (Chair)
Peter Williamson
Brenda Maitland
Roden Ward
Trevor Morrow
Neal Willis
Lyn Fawcett

In Attendance: William Patterson (Chief Executive)
Gerry O'Neill (Director, Corporate Services)
David McGrath (Director, Advisory Services)
Penny Holloway (Director, Conciliation & Arbitration)
Anne Gunning (Minutes Secretary)

1. Apologies Action

Apologies were received from Norma Heaton, Julie Anne Clarke and Patricia O'Farrell.

2. Minutes of Previous Meeting held on 29 January 2009

5.3 Presentation to Employment and Learning Committee of NI Assembly

It was agreed that the words "*public funds*" be changed to "*public authorities*" in the third paragraph, sixth bullet point. Secretary

The minutes of the meeting held on 29 January 2009 were then proposed by Peter Williamson, seconded by Roden Ward, and agreed as a true and accurate record of the meeting, subject to the above amendment.

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

6.5 Monthly Management Report

It was noted that the conclusions and recommendations of the BDO Stoy Hayward report on the Evaluation of the Helpline had been issued

to Board Members.

4. Chairman's Business

4.1 Appointment to Industrial Court

The Chairman referred to the letter received from DEL on 5 February regarding the Board's request for DEL to consult with the Agency on the recruitment process for, rather than on the appointments to, the Industrial Court and the post of Certification Officer. It was noted that the Department had agreed to this request and would be instructing Legislative Counsel to prepare appropriate legislation.

4.2 Agency Resources

The Chairman referred to his correspondence with the DEL Permanent Secretary, and to a further letter he had written on 18 February. He had highlighted the Board's concern that no resource provisions appear to have been made, either for the outcome of the Review of Dispute Resolution or for the increased demands on the Agency arising from the economic downturn. The Chairman had also referred to the Minister's statement that the Employment Service would be augmented by 130 staff to cope with the consequences of the economic downturn. He had indicated that the pressures on the Employment Service and the Social Security Agency were also being experienced by the Labour Relations Agency.

After discussion, it was agreed to continue to highlight the resource requirements of the Agency to DEL particularly in light of the current economic downturn.

4.3 Board Vacancies 2009

It was noted that the Chairman had been in touch with the Department regarding forthcoming Board vacancies 2009, one in May and two in September. It was agreed that a proposal is made to bring forward the appointment process in order to facilitate timely arrangements. This matter is to be raised by the Chief Executive at the LRA/DEL quarterly meeting on Tuesday, 3 March.

CEO

4.4 Meeting of Research Group on 29 January 2009

It was noted that Dr Jimmy Donaghy, QUB, had agree to be co-opted on to the Research Committee.

It was agreed that a report on the meeting on 29 January would be brought to the next Board Meeting.

5. Chief Executive's Business

5.1 Review of Dispute Resolution in NI – Special Board Meeting 13 February 2009

It was noted that wide ranging and lengthy discussions had taken place 13 February through which considerable progress had been made. Following further discussion it was agreed that IT claim forms received by the Agency (1) should be forwarded to the Tribunal during the first eight weeks following receipt where the Agency comes to the opinion that its conciliation/mediation services are unlikely to resolve the dispute and (2) the Agency should automatically forward the claim form to the Tribunal Office by the end of the 8th week following receipt at which point the parties to the dispute would have the options of continuing with conciliation, referring matters to an Employment Commissioner or thirdly the claim could be pursued through the Tribunals.

CEO

It was agreed that a full written statement of the Board's draft position be submitted to the March meeting.

It was noted that the formal consultation period for the Review was now likely to be April to June 2009.

5.2 Minutes of evidence on 14 January 2009 to NI Assembly Employment and Learning Committee

The minutes of evidence provided for the Board were noted. It was reported that the DEL Committee had taken a considerable interest in the work of the Agency and in particular the potential impact of the DEL Review. The Committee also demonstrated a keen interest in how the Agency could improve its support for small and micro firms. It was agreed that the Agency should inform the Committee of the Agency's final position on the Review seeking a further meeting at an appropriate time.

Chairman

5.3 RPA

The following points were noted:

- Work on the provision of dispute resolution processes is ongoing.
- Final draft documentation on the proposed dispute resolution processes is to be discussed with the Trade Union.
- It was noted that the structure of future public sector industrial relations machinery should be a matter of proactive interest for the Agency.
- The CEO is to take soundings in respect of an LRA approach to improving industrial relations in the Public Sector.

CEO

5.4 *IiP*

It was noted that the IiP action plan will be available for the March Board meeting. It is proposed to engage the services of an IiP advisor to work alongside the Agency and to assist with progressing IiP.

DCS

5.5 *Equal Pay Audit*

It was noted that the DCS has been in discussions with the NI Statistics Research Agency (NISRA). NISRA have provided a statistical report on the Equal Pay Review. The report will be passed to the Agency legal advisors for incorporation in a report to be submitted to the Board.

CEO/DCS

5.6 *Quarterly Performance Report*

Quarterly Report

It was agreed that the structure of the Quarterly Report is streamlined and strategic areas reduced. It was noted that the proposed content and sequencing of performance reporting to the Board will be the subject of a Board paper early in the new financial year.

CEO

LRA Corporate Plan 2009-12

It was noted that, after a tendering exercise, a consultant has been appointed to assist with drafting the 2009-2012 LRA Corporate Plan and Business Plan 2009 – 2010. This work is to start in early March with a view to submitting the plans to the Board 26 March.

CEO

5.7 *Monthly Management Report*

It is proposed that for the new financial year Monthly Management Reports will also be restructured, subject to Board's approval.

It was noted that the CEO and DCA had a meeting with Claire Magill, MLA regarding a complaint which had been received by the Agency. The meeting had gone well. Ms Magill had made encouraging comments about the performance of the Agency.

With regard to PR, it was noted that the CEO, after discussion with the Chairman, is to write to political parties represented in the Assembly, Trades Unions and Employer Representative bodies in order to raise the Agency's profile by offering speakers for conference events. This approach was agreed.

It was noted that the absence levels had been particularly high for January when there had been a lot of staff sickness. Absence levels are now at more normal levels. It was further noted that it had been agreed with the Trade Union that an updated Stress Risk Assessment should be carried out in-house. It was noted that there are ongoing discussions at the minute with Care Call, who provide a confidential helpline, which is available to all staff.

It was noted that in absence of an existing contract, and on an exceptional basis, the Agency's previous PR support company has been commissioned to develop an action plan and documentation in relation to promotion of the Agency Helpline.

After discussion the Monthly Report was adopted.

6. Corporate Correspondence Received Relevant to Board

- *Letter received from CEF 13 February 2009 – Public Accountability for Members of Audit Committees, 20 May 2009*

It was noted that Lyn Fawcett and Peter Williamson have agreed to attend.

- *Memo received CEF 17 February 2009 – Public Accountability for Board Members of Arms Length Bodies, 5 March 2009*

It was noted that Peter Williamson and Brenda Maitland have agreed to attend.

7. Any Other Business

It was agreed that standing items from the Board Year Plan are included in the Board Agenda each month.

8. Date of Next Meeting

The next meeting of the Board will be held on **Thursday, 26 March 2009**, beginning at 10.00 am in Room 1.