

**MINUTES OF THE THREE HUNDRED AND FORTY SECOND MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 AM  
ON THURSDAY, 29 JANUARY 2009  
IN THE AGENCY'S OFFICES, 2-8 GORDON STREET, BELFAST**

**Present:** Jim McCusker (Chair)  
Peter Williamson  
Brenda Maitland  
Julie Anne Clarke  
Norma Heaton  
Roden Ward  
Trevor Morrow  
Neal Willis  
Lyn Fawcett

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

The Chairman welcomed Lyn Fawcett, new Board Member, to his first meeting. **Action**

**1. Apologies**

An apology was received from Bill Patterson, CEO, who is ill at present and Patricia O'Farrell.

**2. Presentation on Agency Website**

Paul Blease gave a presentation on the LRA Website.

**3. Minutes of Previous Meeting held on 18 December 2008**

The minutes of the meeting held on 18 December 2008 were proposed by Roden Ward, seconded by Brenda Maitland, and agreed as a true and accurate record of the meeting.

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

**4.1 Conference Attendance**

It was agreed that attendance at the CIPD Ireland Conference in November would be deferred until nearer the time.

**Secretary**

## **5. Chairman's Business**

### **5.1 *Appointment to Industrial Court***

It was noted that there was still no response from DEL to the Chairman's letter of 1 December 2008. The Chairman indicated that he intended to send a reminder.

**Chairman**

### **5.2 *Agency Resources***

Chairman referred to his correspondence with the Permanent Secretary of DEL, and in particular her letter of 23 December in which she stated that it cannot be assumed that the Department will follow the GB ADR model with the resultant funding of additional services from ACAS in GB. It was agreed that this was not reassuring.

It was noted that the Chairman had written to the Permanent Secretary of DEL on 22 December. This referred to the additional staff being recruited in the Department's Employment Service in light of the extra services required due to the current downturn in the economy. After discussion, the Chairman agreed to seek a meeting with the Permanent Secretary in order to clarify the current financial situation, and to report that the Agency is seriously concerned about its ability to cope with the extra demands being made on it in the current economic circumstances. It was noted that the CEO and DCS are scheduled to have their quarterly meeting with the Department on 17 February and they may be able to obtain more information.

**Chairman**

**CEO/DCS**

### **5.3 *Presentation to Employment and Learning Committee of NI Assembly***

It was noted that the Chairman, DCA, Julie Anne Clarke and Roden Ward had met with the DEL Assembly Committee on 14 January at Stranmillis College.

It was noted that the Chairperson of the Committee, Sue Ramsey, had stated that she has often referred people to the LRA with positive outcomes.

The Committee put several questions to the Agency representatives which involved the following:

- The need for change.
- The extent of the provision made to help SMEs.
- Resources and how cost effective is the Agency.
- Whether a bespoke system for NI would be more expensive.
- Equal pay, particularly public sector.
- Allegations regarding a tendency to use public authorities to frustrate the progress of cases.

- The particular structures which exist for industrial and fair employment tribunals in Northern Ireland.

The representatives agreed that the meeting was positive and useful. It had raised the Agency's profile with the Committee and may have initiated a path to new opportunities.

The Chairman stated that he had received a draft Hansard minute of the meeting. It was noted that, when it is received, the final copy will be posted on the NI Assembly website.

It was agreed that the Board should continue dialogue with the Committee on matters of strategic direction.

**CEO**

With regard to the three Board vacancies arising in 2009, the Chairman continued to press DEL on the need for timely arrangements for these appointments.

**Chairman**

## **6. Chief Executive's Business**

### **6.1 *Review of Dispute Resolution in NI***

A paper has been received from Peter Williamson on an alternative approach to dispute resolution in the province.

It was noted that, in the absence of the CEO, the DAS had attended a Steering Group meeting on 15 January. It was indicated that the formal consultation document may not now be issued for comment until March. There will then be a 12 week consultation period lasting to June 2009. The DAS reported that the meeting also discussed the initial findings of a survey of users of employment related tribunals in NI. The Board expressed an interest in seeing copies of the presentation. DAS undertook to check the feasibility of this with DEL.

**DAS**

It was noted that the DCA will be meeting with John Taylor of ACAS in a few weeks' time. She agreed to inform the Board on their discussions.

**DCA**

Reference was made to a previous Board paper which reviewed the Unfair Dismissal Arbitration Scheme and whether there was a basis for developing this as a dispute resolution option. After discussion it was agreed that this paper would be available to members on request.

**DCA**

It was agreed that the Board would have a special meeting to discuss and form a view on the future of dispute resolution. The Chairman is to discuss the format of this meeting with CEO on his return. It was agreed that the meeting will be held on Friday, 13 February at 10.00 am.

**Chairman/CEO**

### **6.2 *RPA***

Following a report from the Chairman, the Board discussed a number of recent developments which included -

- Severance - There have been questions on the determination of the treatment of compulsory redundancies and equality issues.
- NI Executive has agreed that transferring civil servants can retain membership of civil service pension scheme.
- In transferring, it appears that some civil servants would have the option of temporary transfer.
- Health and Social care – phase 2 of re-organisation in April 2009.
- Education and Skills Authority – proposed “go live” date now January 2010.
- Local Government currently expects to be on stream by 2011.

### **6.3 *IiP Assessor’s Report***

The IiP Assessor’s Report was discussed and it was agreed that it is largely complimentary about the Agency. Noting those areas indicated for development, the Board requested an action plan for the February meeting. The Board indicated that Continuous Improvement should continue to be reported monthly at their meetings.

**CEO**

It was noted that the planned celebration for the attainment of the IiP Award is in process of being organised.

**CEO**

### **6.4 *Equal Pay Audit***

It was noted that the NI Statistics Research Agency have provided a service level agreement (SLA) describing their approach to an Equal Pay Review. The Board endorsed the recommendation of management that NISRA progress with an equal pay review in accordance with their SLA.

**CEO/DCS**

It was noted that the Agency’s legal advisor was supporting an in-house examination of pay point and personnel data to further clarify the Agency’s level of vulnerability on Equal Pay issues.

### **6.5 *Monthly Management Report***

#### ***DAS***

The DAS advised the Board that calls to the Helpline have increased significantly in recent months, particularly with regard to queries on redundancy. It was noted that this has impacted considerably on staff.

DAS reported that the draft report on Evaluation of the Helpline by BDO Stoy Hayward has been received. It is very complimentary about the effectiveness of the Helpline Service and of the staff, and it

emphasises the high level of customer satisfaction with the service. After discussion, it was agreed that the points highlighted in the Report about the effectiveness of the service should be emphasised to the Department, Invest NI and the media on a timely basis. Copies of the conclusions and recommendations of the evaluation report will be made available to members.

**DAS**

### **DCA**

The DCA agreed that research into the conciliation service has shown that it is very cost effective, and this should also be promoted as a strong message to the Department and to the media.

### **DCS**

DCS reported that so long as business cases were cleared soon, non-committed expenditure at the year end would be of the order of £50k.

## **7. Freedom of Information: Agency Publication Scheme**

It was noted that the Information Commissioner requires all public bodies to have a Publications Scheme, and a draft 2009 Publications Scheme for the LRA has been produced. The draft was approved by the Board and the agreed scheme will be placed on the LRA website.

**DCS**

## **8. Corporate Correspondence Received Relevant to Board**

### **8.1 Letter received 15 January 2009 re Chief Executives' Forum events**

Noted.

### **8.2 Email information from Jim Hanna, DEL dated 21 January 2009 re On Board Corporate Governance Training**

Noted.

It was noted that CIPFA has developed a comprehensive programme of training to develop the widening range of knowledge, skills and abilities that modern governance and accountability requires. It was agreed to pursue Board Members' attendance at a CIPFA "How Good is your Governance" course in the near future possibly with a view to running a tailored version specific to LRA Board members.

**Chairman/CEO**

## **9. IS Strategy**

### **9.1 Presentation from PWC**

PWC attended a question and answer session which centred on the IS Strategy and the associated programme of work proposed in a paper prepared by management. Issues dealt with included:

- Intelligent Customer, possibly a jargonized term which may be replaced by a more suitable title such as IS Programme Manager;
- Treatment of the IC Case Management System, a core application for the LRA; the timing and nature of its replacement will be dependent on attainment of Security Accreditation and the feasibility of a joint system based on ACAS software.
- The determination of outcomes/benefits emanating from the strategy and the monitoring of project progress by the Board; the view expressed was that the outcomes/benefits are currently in the strategy at a high level, would be described in more detail in the business cases and that formal project management would enable adequate control by the Board.

## **9.2 Agency Paper**

The Board noted that the IS Strategy would be subject to incremental reviews (roughly annually). The 2009 review will be able to update the programme of work in light of the LRA's Corporate Plan and the status of IC Case Management System replacement.

The Board approved the paper prepared by management.

## **10. Date of Next Meeting**

The next meeting of the Board will be held on **Friday**, 27 February 2009, beginning at 10.00 am in Room 1.