

**MINUTES OF THE THREE HUNDRED AND SIXTY THIRD MEETING OF THE
LABOUR RELATIONS AGENCY BOARD HELD AT 9.30 am
ON THURSDAY, 27 JANUARY 2011
IN THE AGENCY'S OFFICES, 2-12 GORDON STREET, BELFAST**

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

In Attendance: Bill 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

There were no apologies.

2. Meeting with Minister for Employment & Learning

The Minister for Employment and Learning, Mr. Danny Kennedy was welcomed by the Chairman.

The Chairman highlighted the importance of employment relations for the success of the Northern Ireland economy. He suggested that employment relations should be given greater recognition and prominence as a major contributor to economic stability and growth. The Chairman also emphasised the demand-led nature of the Agency's core services e.g. the Helpline and the Individual Conciliation with their commensurate pressure on resources.

The Minister indicated his appreciation for the work of the Agency. He acknowledged the importance of the Agency's contribution to the economy. Within the context of the current difficult economic climate the Minister made reference to the wide ranging reductions proposed for public sector expenditure over the next four financial years. The Minister indicated that as a DEL NDPB the Agency would be facing a proportionate budget reduction the extent of which was yet to be determined.

During discussions the need to reduce bureaucracy between DEL and the Agency was acknowledged, the case for paying particular attention to the manufacturing sector was emphasised as was the need to enhance the quality

of working life of the NI workforce

Following discussions the Chairman thanked the Minister for addressing the Board. The Minister wished the Agency well in the future and left the Board meeting to undertake a tour of the premises and meet Agency staff.

3. Minutes of Previous Meeting held on 16 December 2010

The minutes of the meeting held on 16 December 2010 were proposed by Peter Williamson, seconded by Sally McKee, and agreed as a true and accurate record of the meeting.

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

5.1 Research Committee – Meeting held 18 November 2010

With regard to SROI the DAS confirmed that the scoping study is to be carried out by Karl Leatham and should be completed by 31 March 2011. A preliminary meeting was to be held later that day.

DAS

6.1 LRA Code of Practice on Disciplinary & Grievance Procedures

The DAS reported that, before submitting the draft Code to DEL he had forwarded a copy to Noel Kelly at OITFET for comment. No response has been received.

The DAS indicated that the draft Code had been submitted to DEL for approval on 5 January. As yet no response has been received. It was noted that the CEO would be raising the Code with Tom Evans at a meeting 3 February.

CEO

5. Chairman's Business

5.1 Declarations of Board Member Interests

No interests were declared by members.

5.2 Board Vacancy – update

It was noted that there has been no further progress from the Department in the process. The Board expressed their frustration at the protracted nature of the procedure. There was also concern about the delay in the lack of progress with several Business Cases currently with DEL. It was agreed that the CEO inform DEL of the Board's concern 3 February.

CEO

5.3 Board Performance Appraisals

The Chairman requested that the outstanding appraisal form is forwarded as soon as possible.

**Board
Member**

5.4 DEL Draft Budget 2011-15: Budget settlement and proposals to reduce expenditure for DEL

It was noted that the Agency had received a consultation paper concerning the

draft DEL budget 2011-15. The final date for returns is 17 February. After discussion it was agreed that a response reflecting the Board's concern about the disproportionate cut in the Agency's budget will be forwarded by the Chairman.

Chairman

5.5 *International Meeting of Employment Relations Agencies – Cardiff*

It was noted that ACAS will host the 2011 international meeting in Cardiff, week commencing 4 September. As it is proposed to include a conference/high level seminar at the event, the Board agreed that two Board members and two members of staff would attend the conference /seminar.

**Chairman/
CEO**

5.6 *Appointment of two Board members for selection panel for Information Systems Manager*

It was noted that the LRA Recruitment Selection and Transfer Procedure Paragraph 9.2 states that this post, which is at SERO level, normally requires the panel to include the Chairman, two members of the Agency Board and the CEO. The Board took the view that the Information Systems Manager was specialist in nature and not a general SERO employment relations post and therefore, for this post, the selection panel comprise members of the SMT plus an independent IT advisor.

CEO

Furthermore the Board agreed that this section should be reviewed as part of the overall review of the procedure.

It was noted that these matters would be raised at the next JNCC 1 February.

5.7 *Board Member Training*

It was noted that joint training for Board members in governance issues is being pursued by the DCS.

DCS

6. Chief Executive's Business

6.1 *Charging for Agency Services*

It was agreed that this topic would be deferred until a future Board meeting.

CEO/DCS

6.2 *Presentation on DEL Project*

Tommy Wright, ERM, gave a presentation on a DEL ADR facilitation project including a summary update on LRA/DEL/NIPSA practice. The Board thanked Tommy for a very comprehensive and clear presentation.

Following discussion it was agreed that the collaboration between the LRA, NIPSA and the Department was a good news story for the Agency and should be appropriately highlighted as good practice.

DAS

6.3 *Corporate Plan 2011-14*

The CEO reported that the draft Corporate Plan has been amended by the

DAS. Funding conditions for the Agency had been adjusted to reflect the current financial situation. Some technical paragraphs had been brought up to date. Members approved the format and presentation of the strategic aims section of the document. However, it was suggested that the preceding narrative and the presentation of statistics could be more succinct.

CEO

The CEO advised that some years ago the Agency had been asked by DEL to produce a three year rolling Corporate Plan. Following discussion it was agreed that a document produced every three years would normally be sufficient with any significant changes being reflected in the annual Business Plans. After discussion and some minor amendments, it was agreed that the CEO would bring the final draft to the next Board meeting for endorsement before forwarding to the Department for approval.

CEO

6.4 Business Plan 2011-12

After discussion, it was agreed that the first draft of the Business Plan was broadly acceptable. A final draft is to be submitted to the Board at the February meeting for endorsement before submission to DEL for approval.

CEO

The CEO indicated to Members that any further detailed comments on the text of the Corporate and /or Business Plan should be forwarded to him by Tuesday 8 February in good time for the issue of the revised documents 16 February.

**Board
Members**

6.5 Recruitment of new members for Arbitrator Panel

Board Members considered the documents associated with the recruitment exercise and the criteria required. It was agreed that further attention was required to set out suitable short-listing criteria. It was further agreed that any detailed comments should be sent by Members to the DCA by 7 February.

**Board
Members**

6.6 DEL Review of Dispute Resolution in NI

(i) Employment Bill

It was noted that DEL had confirmed with the CEO that the Assembly legislative process is on target for an effective implementation of 1 April 2011.

(ii) DEL Advisory Group

It was noted that Tom Evans DEL had indicated to the CEO that suggested amendments to the Groups terms of reference would be given serious consideration by DEL with a view to facilitating the participation of the LRA. The CEO will be following this item up with DEL 3 February.

CEO

(iii) Others Matters

It was noted that the CEO and DCA had met with the President and Noel Kelly, Vice President OITFET on 26 January. Agreement had been reached on the need for a Memorandum of Understanding (MoU) between the LRA and the Tribunals. The Agency is now in process of developing a first draft MoU.

CEO/DCA

6.7 *Bi-Monthly Management Report*

After discussion, the Bi-Monthly report was accepted, subject to some agreed minor amendments.

6.8 *DEL ALB Review*

It was noted that the ALB Review may be published shortly. It was unknown whether the ALB Review would be incorporated with proposals for the wider review of public sector institutions.

6.9 *RPA*

The DCA indicated that three grievance cases were with the Agency under the agreed dispute resolution procedure.

6.10 *Equal Pay*

It was noted that the CEO will be discussing the progress on the 2009 pay settlement for Agency staff at the JNCC 1 February and with Tom Evans 3 February. This was now recognised as a matter for priority action.

CEO

6.11 *Board Brought Forward Information*

The new brought forward system was discussed. It was agreed that action points are included on a form and carried forward each month for Board information.

CEO

7. *Corporate Correspondence Received Relevant to Board*

7.1 Letter dated 16 December 2010 from Employment Relations Policy & Legislation Branch, DEL re Public Interest Disclosure (Prescribed Persons) (Amendment No. 2) Order (NI 2010 – S.R. 2010 No. 399

7.2 Email from David Nicholl regarding Onboard Training Dates 2011

Contents noted.

7.3 Letter dated 4 January 2011 from Maxine Murphy-Higgins, Chairperson, NIPSA Branch 28

The Board noted the letter as an important response to the DEL review of the Agency and agreed to take account of the views expressed. It was noted that the letter will be raised at the next JNCC meeting on 1 February.

CEO

8. *Any Other Business*

8.1 *Public Relations*

It was noted that the Chairman had received a short email of commendation for the Agency staff who supported the USEL related Equal Pay agreements. USEL was of the view that it would not have been possible for the back pay

and lump sum entitlements to be paid so efficiently without Agency help.

8.2 Awards to Staff

The Chairman also read an email from Patricia McQuillan, ERM, on behalf of the Advisory Section thanking him and the Board for the hospitality received at Christmas, which was greatly appreciated, as well as the recognition of training achievements.

Awards were then presented to two members of Agency staff.

9. Date of Next Meeting

The next meeting of the Agency Board will take place on Thursday, 24 February 2011 commencing at 10.00 am in Room 1, Gordon Street, Belfast, subject to the progress of the accommodation project. The Board meeting will be followed by a Research Committee meeting commencing 2.00 pm