

**MINUTES OF THE 423<sup>rd</sup> MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT  
10.00 am ON THURSDAY, 26<sup>th</sup> JANUARY 2017  
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST**

**Present:** Marie Mallon (Chair)  
Louise Crilly  
Deirdre Fitzpatrick  
Michelle McGinley  
Gary McMichael  
Alison Millar  
Albert Mills  
Jill Minne  
Daire Murphy  
Pauline Shepherd

**In Attendance:** Tom Evans Chief Executive, (CEO)  
David McGrath (Director, Advisory Services (DAS))  
Alison Wolfe (Minutes Secretary)

	<i>Action</i>
<p><b>1. Apologies</b></p> <p>An apology was received from Penny Holloway.</p>	
<p><b>2. Conflicts of Interest</b></p> <p>There were no interests declared.</p>	
<p><b>3. Chair's Opening Remarks</b></p> <p>The Chair congratulated Jill Minne on her appointment as Strategic HR Director for the NICS.</p> <p>The Chair referred to current uncertainties around PfG and the 2017/18 budget position. It was agreed to defer the corporate planning workshop to the April meeting when there may be more clarity around PfG, Early Conciliation and the 2017/18 budget.</p> <p>The CEO advised that the SMT are about to initiate a detailed budget forecasting exercise based on the 2016/17 baseline using the existing staff complement and a number of other delivery options with the objective of minimising any diminution of frontline services. The CEO advised the Board that the Agency is now structurally underfunded because of the pressures created by pay and price increases since 2010 against a static baseline.</p> <p>The CEO also advised that there was no progress to report in relation to the rent review. The CEO agreed to follow up with Land and Property Services.</p> <p>The CEO advised that a report from the Accommodation Review Group will come to the February meeting of the Finance &amp; Personnel Sub-Committee and then to the March Board meeting.</p> <p>It was agreed that the DfE Industrial Strategy consultation paper should be copied to Board members for their comments and that the Agency should make a substantive response.</p>	<p style="text-align: right;"><b>Chair</b></p> <p style="text-align: right;"><b>SMT</b></p> <p style="text-align: right;"><b>CEO</b></p> <p style="text-align: right;"><b>SMT</b></p> <p style="text-align: right;"><b>Secretary</b></p>

<p>The Chair advised Board members that following the meeting presentations would be made to Sylvia Pedlow who was retiring from the Agency and to Roisin Bell who had achieved 25 years' service.</p> <p>The Chair also advised Board members that discussion at a recent Chairs' Forum meeting indicated that some other ALBs were facing delays in recruiting Board members. Two Agency Board members would complete their terms of office later this year and the Chair was conscious that there may be delays in the process. The Chair undertook to keep the Board informed of developments.</p> <p>The CEO will raise the above issues at his accountability meeting with departmental officials in February.</p>	<p><b>Chair</b></p> <p><b>CEO</b></p>
<p><b>4. Minutes of 15<sup>th</sup> December 2016 Meeting (Paper BP01-01/17)</b></p> <p>The minutes of the meeting held on 15<sup>th</sup> December 2016 were agreed as a true and accurate record of the meeting subject to the following amendment:</p> <p>5.1 para 2, delete the words 'to launch the joint ECNI/LRA publication'.</p>	<p><b>Secretary</b></p>
<p><b>5. Matters Arising from the Minutes</b></p> <p><b>5.1 CIPFA Governance Standard</b></p> <p>The CEO reported that he had separate discussions with CIPFA, Department of Finance, Consumer Council and DfE to discuss a potential governance project linked to PfG. Deirdre Fitzpatrick proposed that it would be appropriate to agree terms of reference for the project; the CEO and Deirdre to meet to discuss what is required</p> <p>The Chair advised that the Board will be undertaking governance training in March. Self-assessment forms were distributed for completion and return by 17<sup>th</sup> February; responses will be considered at the March Board meeting.</p> <p>The Chair referred to the NIAO Board Effectiveness Guide which had been issued to Board members. It was agreed that the Agency Chair and Chairs of Board Sub-Committees should meet to discuss governance and Board effectiveness with a view to agreeing issues to be covered at the March governance workshop. It was also agreed that there should be an external facilitator. Deirdre Fitzpatrick gave her apology for the March Board meeting.</p> <p><b>5.2 CMRS Update</b></p> <p>The specifications and business cases for Phase 2 and Early Conciliation are being finalised and will come to the February/March Board meeting.</p> <p><b>5.3 Early Conciliation Business Case</b></p> <p>The CEO reported that Helen Smyth, as Project Manager, had provided an update to the SMT on the progress being made by Project Group. It was important to continue the preparatory work for Early Conciliation pending a decision by the Minister.</p> <p><b>5.4 Executive Transformation Fund</b></p> <p>The CEO advised Board members that the Agency awaits approval of the business case seeking access to the Executive Transformation Fund. The CEO emphasised the importance of having access to this fund in light of the prevailing budget pressures.</p> <p><b>5.5 Meeting with Professor Neil Gibson</b></p> <p>The CEO reported that UU would be interested in carrying out an IR/ER scoping study later this year. The CEO agreed to raise with DfE.</p>	<p><b>CEO/ARAC Chair</b></p> <p><b>BMS</b></p> <p><b>Secretary</b></p> <p><b>CEO</b></p> <p><b>DCA</b></p> <p><b>CEO</b></p>

<p><b>5.6 Programme for Government (PfG) (Agency's response) (Paper BP02-01/17)</b></p> <p>The CEO reported that the Agency's response to PfG had been well received by DfE and in particular the proposal that the Agency could act as a pathfinder ALB in relation to the PfG. The CEO will follow up at the next DfE accountability meeting.</p>	<p><b>CEO</b></p>
<p><b>6. Update on Roundtable/other stakeholder meetings</b></p> <p>The Chair and CEO reported that the Roundtable meeting on Wednesday, 25<sup>th</sup> January had been inquorate because of traffic difficulties but that there had been an informal discussion about the Joint Declaration. The CEO indicated that he had a positive meeting with ECNI confirming the Commission's commitment to being involved in the launch and subsequent implementation of the Joint Declaration. Board members commented on the importance of the Joint Declaration which took account of issues in today's world such as racism and sectarianism.</p> <p>The CEO advised that the Roundtable ER Skills sub group is meeting on Thursday, 2<sup>nd</sup> February.</p>	<p><b>Roundtable</b></p> <p><b>CEO/DAS</b></p>
<p><b>7. Board Sub-Committees</b></p> <p><b>7.1 Employment Relations Model</b> Meeting to be arranged.</p> <p><b>7.2 Schedule of dates for F&amp;P and ARAC (Paper BP03-01/17)</b> A full schedule of Board, F&amp;P and ARAC meeting dates was submitted to the Board.</p> <p>Meeting to be arranged between the Chair and the Chair of the ARAC.</p> <p>It was noted that at their last meeting the F&amp;P sub-committee had discussed and accepted the CEO's performance appraisal.</p>	<p><b>Secretary</b></p> <p><b>Secretary</b></p>
<p><b>8. Finance Issues</b></p> <p><b>8.1 Budget Update (Paper BP04-01/17)</b></p> <p>The CEO presented an update paper which emphasised the very significant pressures on the current budget and the enhanced expenditure controls that are now being applied. The CEO confirmed that the Agency had received £25K in respect of additional NI contributions for the 2016/17 year but that there has been no response to the bid for additional pension and NI contributions for 2017/18.</p> <p>It was agreed that a further column should be added to the Budget Management table showing projected spend for January, February and March 2017.</p> <p>The CEO advised the Board that the current budget pressures would become even more acute in 2017/18 because of the cumulative impact of pay and price increases; and that the SMT will review all non-staff resource expenditure to identify any savings in 2017/18 that can be redirected to frontline services.</p>	<p><b>Finance Officer</b></p> <p><b>SMT</b></p>
<p><b>9. HR Issues (Paper BP05-01/17)</b></p> <p>The HR Manager provided an update on all human resource projects. Given the delay in the Early Conciliation project the Board asked whether the limitation period for the current reserve lists could be extended. The CEO agreed to consult with TUS and also confirmed that a costing of the various EC recruitment programmes has been initiated for discussion with DfE.</p> <p>The HR Manager advised that the absence levels for the first nine months have shown a material improvement but that the January 2017 outturn is less positive. The</p>	<p><b>CEO</b></p>

<p>HR Manager also indicated that the Agency is now taking a more proactive approach to sick absence in terms of line management interventions as well as the provision of enhanced welfare support services.</p> <p>The CEO reported that the Health &amp; Safety Committee had acknowledged the work being carried out on health and well-being issues; and that staff were very positive about the recent health checks provided by the Agency.</p> <p>The Chair indicated that the Chairs' Forum was discussing proposals with NIAO to progress a partnership approach to training across the public sector.</p> <p>The CEO advised the Board that the new DCS will take up post on 1<sup>st</sup> March 2017.</p> <p>The HR manager advised that there is an opportunity to host a free innovation workshop facilitated by Full Circle Management Solutions before the end of March 2017. A meeting to be arranged to involve the CEO.</p>	<p><b>CEO/HR Manager</b></p>
<p><b>10. ICT Update (Paper BP06-01/17)</b></p> <p>The IT Manager reported:</p> <ul style="list-style-type: none"> <li>• on a number of recent service outages impacting on the telephony system and internet and email access and the measures taken to address the immediate problems and to build in long term resilience;</li> <li>• that the Mobile App has been uploaded to the online software stores and that a number of operating problems are being addressed;</li> <li>• that the planned data migration of historical data to CMRS has been postponed due to a number of technical difficulties; and</li> <li>• data has been transferred to the new HR platform once the necessary training has been delivered the system will then be accessible to all staff.</li> </ul> <p>The CEO advised that he would be contacting SFW, the current contractor, to discuss the data migration project; and that the exercise may need to be deferred to the 2017/18 financial year.</p> <p>In relation to the service outages the Board queried whether the contracts had penalty clauses. The IT Manager indicated that such contracts are usually standard industrial contracts and that the level of outage was not sufficient to trigger penalty payments. The IT Manager to clarify the relevant provisions within the service delivery contracts.</p>	<p><b>IT Mgr</b></p> <p><b>CEO</b></p> <p><b>IT Mgr</b></p>
<p><b>11. Business Plan Performance Report (Paper BP07-01/17)</b></p> <p>The CEO presented the Business Plan Performance Report for the period up until 31<sup>st</sup> December 2016. He advised the Board that the vast majority of service delivery targets are on track. A number of targets such as early conciliation, which are not under the immediate control of the Agency, will probably not be delivered. It was agreed that in setting in year targets there must be a high level of assurance that they are achievable by the due date; also any targets that are dependent on third party input need to be flagged in the business plan.</p> <p>The CEO also advised that the recent internal audit report on Advisory Services had commended the current classification system as good practice but made a number of recommendations. It was agreed that this should be considered by the Board as part of the corporate planning process.</p> <p>The CEO highlighted the 42% increase in the number of conciliation cases received</p>	<p><b>Board/SMT</b></p>

<p>which is putting additional pressure on staff.</p>	
<p><b>12. Directors' Update</b></p> <p>The DAS advised that there had been a recent upturn in calls to the Helpline probably due to the uncertainty around the budget which was causing great anxiety and apprehension amongst the voluntary community sector.</p> <p>The DAS indicated that when developing a new corporate plan and in responding to the industrial strategy it was important to highlight the work carried out with INI, along with the amount of in-company training taking place. The Advisory section was aware of new clients attending workshops and seminars; however current accommodation restricts the number of clients attending events. The Board agreed that value for money considerations should influence how our Advisory services are delivered in terms of the balance between in-company and Agency-based provision.</p>	<p><b>Board/SMT</b></p> <p><b>DAS</b></p>
<p><b>13. Employment Law Update (Paper BP08-01/17)</b></p> <p>The DAS presented the Employment Law update which highlighted the differences between the GB and NI employment law framework. It was agreed that this provided a greater rationale for the Agency's services.</p> <p>Alison Millar referred to a paper by Kieran Wright 'Workers not paying the price of Brexit' which is due to be launched by ICTU on 29<sup>th</sup> March. The CEO agreed to follow up with NIC ICTU.</p>	
<p><b>14. Any Other Business</b></p> <p>The Chair referred to information which had been issued to Board members regarding a Public Board Mentoring Scheme. The Chair indicated that she intends to participate in the Scheme and asked Board members to contact the Secretary if they are interested.</p> <p>The Board discussed the meeting schedule for the next few months and it was agreed that the Secretary would email Board members to confirm that the March meeting would include governance training and the April meeting would cover corporate planning. There is also a need to determine the timing of the Regional Office Board meeting.</p>	<p><b>BMs/ Secretary</b></p> <p><b>Secretary</b></p>
<p><b>15. Date of Next Meeting</b></p> <p>The next meeting of the <b>Agency Board</b> will take place on <b>Thursday, 23<sup>rd</sup> February 2017 at 10.00 am in the Agency's offices, Gordon Street, Belfast.</b></p>	<p><b>Secretary</b></p>