

**MINUTES OF THE THREE HUNDRED AND SIXTY FIFTH MEETING OF THE
LABOUR RELATIONS AGENCY BOARD HELD AT 10.30 am
ON THURSDAY, 24 MARCH 2011
IN THE AGENCY'S REGIONAL OFFICE, 1-3 GUILDHALL STREET,
LONDONDERRY**

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

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

1. Apologies Action

There were apologies from Gordon Parkes, Brenda Maitland and Penny Holloway.

2. Minutes of Previous Meeting held on 24 February 2011

The minutes of the meeting held on 24 February 2011 were proposed by Neal Willis, seconded by Peter Williamson, and agreed as a true and accurate record of the meeting.

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

5.1 *Research Committee*

It was noted that the SROI scoping study report from Karl Leatham is expected by the end of March.

CEO

6.4 *Recruitment of new members for Arbitrator Panel*

CEO confirmed the schedule for the recruitment exercise to be completed by June.

4. Chairman's Business

4.1 *Declarations of Board Member Interests*

In relation to Item 4:4 below Peter Williamson reminded the Board that he was a member of the Industrial Court.

4.2 Board Vacancy – update

It was noted that there has been some progress regarding Board vacancies. The Department has sent a draft timetable and papers to the appointment panel. Included is an information pack for candidates to be agreed by Monday, 28 March. The DEL Minister's approval of the arrangements is expected by 4 April.

The Chairman confirmed that a paragraph has been included in the selection criteria resolving the concerns expressed by the Board regarding conflicts of interest and independent members.

4.3 DEL Draft Budget 2011-15

The Chairman circulated a letter he had written to Alan Shannon, Permanent Secretary, on 2 March 2011 regarding the impact of budgetary plans on other non-departmental public bodies (NDPBs). The contents of the letter were noted.

4.4 Letter dated 3rd March 2011 from Conor Brady, DEL re Appointments to the Industrial Court

The Chairman referred to a letter he had received from Conor Brady, DEL, 3 March 2011. The comments on the rate of remuneration for members of the Court were noted.

4.5 Agency Public Lecture 2011

After discussion it was agreed that Jackie Orme, CEO, CIPD would be invited to give the public lecture at the Agency's Public Board Meeting on 19 October 2011.

CEO

4.6 Board Member Training

There was nothing to report.

5. Research Committee Meeting

5.1 Minutes of the meeting held on 18 November 2010

The minutes were ratified by the Board.

5.2 Research Committee Meeting held on 24 February 2011

The Chairman gave a verbal report on the meeting.

- Nial Cullinane had been welcomed to the Committee. Dr. Cullinane is replacing Dr. Jimmy Donaghey as representative from Queen's University.
- The scoping study on SROI had been discussed. The Committee awaits the forthcoming report.
- Evaluation on the impact of Agency services – the ongoing work was

noted by the Committee.

- The Committee had decided to examine the current NISRA research programme with a view to utilising the NISRA programme as a vehicle for employment relations research.
- The ACAS research programme would also be explored.

6. Audit Committee Meeting

6.1 Minutes of the meeting held on 13 October 2010

The minutes were ratified by the Board.

6.2 Audit Committee Meeting held on 10 March 2011

The Chair of the Audit Committee gave a verbal report on the meeting.

- Concern had been expressed that the current Board vacancies were putting pressure on quorate attendance at the Audit Committee. Board members noted that any Board member, other than the Chairman, could be asked to join an Audit Committee meeting.
- The Committee had expressed concern at the non-attendance of the External Auditor at the previous two meetings. It was noted that the problem arose because of the transition of Auditors.
- The Risk Register Review had been agreed. Concern was expressed regarding the Individual Case Management System - the risk index had been increased to the top rate of 20. It was noted that the Board shared the concerns of the Audit Committee with regard to a resolution of the ICMS system problem. It was noted that the CEO was meeting John Taylor, CEO, ACAS 25 March to discuss the possible adoption of the ACAS IC system by the Agency.
- It was noted that the Risk Register is due to be submitted to the Board in October.
- The Committee had noted that the Internal Audit Review 2011 was nearing completion and that the Internal Audit contract was due for renewal for 2012.
- The Audit Chair had acknowledged Brian Clerkin's (Internal Auditor) support of the management team and of the Audit Committee.

7. Chief Executive's Business

7.1 ACAS Research

Board Members welcomed the ACAS consultation document – *'The future of workplace relations'*. Following discussion it was agreed that further, more systematic, consideration be given to the issues raised in light of the responses received and conclusions reached by ACAS.

The DAS gave a short overview of his findings on his return from a Churchill Fellowship in New Zealand and Australia. He highlighted the opportunity he had to 'think outside the box' in respect of employment practice which would be transferable to the Northern Ireland situation. After some discussion the DAS agreed to bring a fuller report on his findings to the Board meeting in

DAS

June.

Chairman

The Chairman indicated that the Research Committee would also take forward discussions relating to the above at its next meeting on 12 May.

7.2 GB – Employment Tribunals Review - BIS Consultation Document – January 2011

Following discussion it was agreed that further consideration was required of the issues raised, taking into account the responses of ACAS and the GB social partners.

CEO

7.3 DEL Review of Agency

The progress report was discussed and progress noted. It was also noted that the report will be regularly submitted to the Board.

CEO

7.4 Launch of LRA Disciplinary & Grievance Code

It was noted that invitations had been sent out for the launch which would take place on Monday, 4 April 2011 at 10.00 am in the Ramada Encore Hotel, Belfast.

SMT

7.5 Unit Costing

Board Members welcomed the preliminary paper on the Unit Costing of Agency frontline services. Members were informed of the unit costs published by ACAS. Following discussion it was agreed to consider unit costing further in light of (1) demonstrating the Agency's value for money and (2) charging for Agency services, a paper on which is to be submitted to the Board in August.

CEO/DCS

7.6 Business Plan Reporting Format 2011-12

The Bi-Monthly Performance Report 2011/12 draft format was discussed. Some minor amendments were suggested apart from which the format was welcomed and approved by the Board.

CEO

It was noted that the Corporate Plan 2011-14 and Business Plan 2011-12 had been forwarded to DEL for approval. The CEO agreed to forward the final drafts to Board members.

CEO

7.7 SMT Development Report

The CEO introduced the SMT development programme report. It was noted that the SMT will be taking forward the core capabilities and KPIs identified for the SMT and revisiting the Board and staff perceptions of the SMT.

SMT

It was noted that the SMT are building up relations with middle management by setting up regular meetings with ERMs.

SMT

7.8 DEL Review of Dispute Resolution in NI

(i) Employment Bill

It was confirmed that the Assembly legislative process is on target for implementation from 3 April 2011.

(ii) DEL Advisory Group

It was noted that the Chairman had circulated the revised terms of reference for the Group. The terms of reference will be further revised by DEL to include a statement of each participant's independence from DEL.

(iii) Others Matters

There were no other matters at present.

7.9 DEL ALB Review

It is expected that there will be nothing further to report on this item until the Autumn.

7.10 RPA

Nothing to report.

7.11 Equal Pay

It was noted that the 2009 equal pay statement is with DFP at present. The CEO indicated that a number of staff grievances will require attention over coming weeks.

DCS/CEO

8. Corporate Correspondence Received Relevant to Board

8.1 CIPFA Flier – Fraud – the impact of the new legislation Contents noted.

8.2 CIPFA Training Bulletin – April 2011 If members are interested in any of the training available they should contact the Secretariat.

Board Members

9. Any Other Business

There was no other business reported.

10. Date of Next Meeting

There will be no Board Meeting in April.

The next meeting of the Board will be held in Room 1, Gordon Street, Belfast on **Thursday, 12 May 2011 at 10.00 am.**

11. Presentation to Mr Eric Johnston

The Chairman made a presentation on behalf of the Board to Eric Johnston on his retirement from the Agency on February 2011 after 17 years' service.