

MINUTES OF THE 374th MEETING OF THE LABOUR RELATIONS AGENCY  
BOARD HELD AT  
10.00 am ON THURSDAY, 1 MARCH 2012  
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST

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

**In Attendance:** Bill Patterson (Chief Executive)  
David McGrath (Director, Advisory Services)  
Penny Holloway (Director, Conciliation & Arbitration)  
Anne Gunning (Minutes Secretary)

**1. Apologies Action**

There was an apology from Gerry O'Neill, Director, Corporate Services

**2. Minutes of Previous Meeting held on 26 January 2012**

The minutes of the meeting held on 26 January 2012 were proposed by Gordon Parkes, seconded by Neal Willis, and agreed as a true and accurate record of the meeting.

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

*1. Apologies*

It was agreed to add an apology from Lyn Fawcett to the minutes of the 26 January meeting which was received after the meeting. Secretariat

*3. 7.5 SROI Feasibility Report*

It was noted that the SROI business case has now been passed to the DEL Minister for a decision.

*5.3 Tribunal Reform*

It was noted that the final response by the Board to the DoJ discussion paper was forwarded to the DoJ by the agreed closing date on 31 January 2012. It was also agreed that this topic should be further discussed by the Board. Chairman

#### **5.4 LRA/OITFET MoU**

It was noted that the revised LRA /OITFET MoU has been signed by both parties and is in operation. The LRA/Industrial Court MoU is being revised following a meeting of the parties 13 February 2012.

### **4. Chairman's Business**

#### **4.1 Declarations of Interests**

No interests were declared by members.

#### **4.2 Board Member Training**

It was noted that the Chairman and CEO had attended a DEL Stakeholder Event on 9 February. This was part of the consultation on the Programme for Government.

It was noted that the Chairman had forwarded the Agency's response to the five questions posed by the Chairperson of the DEL Assembly Committee regarding the dissolution of the Department for Employment & Learning. Copies were also forwarded to the DEL Minister and to OFMDFM. It was noted that an acknowledgement has been received from OFMDFM but there has been no response, as yet, from the DEL Minister.

**Chair**

#### **4.3 LRA Seminar – 16 February 2012**

Following discussion it was noted that initial feedback had been largely positive. It was agreed that the seminar had been useful in raising matters of employment law for public debate. However it was the view of members that a greater degree of in-depth discussion was needed in order to address (1) the current, evidence based, position in Northern Ireland and (2) the potential cumulative impact of changes.

The Chairman informed members that he had written to key stakeholders suggesting that they meet with the Chairman and Chief Executive in order to further explore, in light of the Great Britain changes, the employment law agenda for Northern Ireland. The Chairman agreed to report back to the Board on the responses to his invitations.

**Chairman**

#### **4.4 Board Away Day – 15 March 2012**

It was noted that DEL representatives would not be able to join the discussions on the morning of 15<sup>th</sup>. It was therefore agreed that the order of business for the away day would be adjusted accordingly.

**Chairman**

It was agreed that the CEO/DCS follow up on the most relevant Corporate Governance training courses for Board members.

**CEO/DCS**

### **5. Finance & Personnel Committee Meeting**

#### **5.1 Minutes of the meeting held on 16 September 2011**

The minutes of the above meeting were ratified by the Board.

## **5.2 Meeting held on 26 January 2012**

The Chairman provided a verbal report on the meeting held on 26 January.

The HR Strategy was generally welcomed, particularly the key performance indicators. It was also noted that the HR Strategy would be adjusted to take account of the recent IiP Post Recognition Report. There was discussion of the revision of the Recruitment and Selection Policy which was expected to include clarification on Board member involvement in senior appointments. It was agreed that this will require further discussion. The Committee also discussed long term and short term absence and the underspend against the Agency's budget as at the end of December 2011.

**Chairman**

The IS Strategy was also considered. It was noted that the IS Strategy would be discussed further under item 6.3 below, Bi-Monthly Performance Report.

It was agreed that the next Finance & Personnel Sub-Committee meeting would be held after the Board meeting on 19 April. It was further agreed that the Research Committee meeting would be re-scheduled from 19 April to 16 May, after the joint Audit/F&P information session.

It was noted that the Chairman and CEO will be meeting Colin Jack, Director, DEL Strategy & Employment Rights Division and Tom Evans DEL, on 16 March. An item for discussion is Board appointments and appointment criteria.

**Chair/CEO**

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

### **6.1 Launch of Statutory Generic Arbitration Scheme**

The DCA confirmed that the Agency was in discussions with the Department regarding clarification of the final narrative of the scheme.

It was noted that the legislative date for the Generic Arbitration Scheme remained June 2012 however it was considered that the launch may now be most effective if held in September 2012. Definitive dates were yet to be finalised.

### **6.2 IiP Report**

It was agreed that the Post Recognition Assessment report following the Agency's Bronze Award was very encouraging. The Board expressed thanks and congratulations to all of the Agency staff for the very positive outcome. It was agreed that while the Agency should concentrate on areas for development, it is important to note the good progress being made to the culture of the Agency and that the Agency is moving forward.

It was agreed that staff contribution should be recognised in the near future.

**CEO**

### **6.3 *Bi-monthly Management Report April 2011-January 2012***

After discussion, the report was noted.

### **6.4 *LRA Conference 2013***

It was proposed that the LRA Conference to be held 2013 be postponed to 2014. It was also proposed that a series of seminars 2012-13 may be more appropriate for taking forward the agenda on NI employment law than a conference in 2013. Following discussion it was agreed that a decision on the conference or seminars would be taken after the Chair/CEO meet with the social partners (as discussed at 4.3 above). It was also agreed that a matrix presenting the current GB employment law agenda against the current NI position would be very useful in taking an overview of the agenda issues.

**Chair**

**CEO**

### **6.5 *Replacement of ICMS***

It was noted that the security of the current system had been improved. Security accreditation had been progressed, hopefully to attaining accreditation in the near future. In relation to the replacement of ICMS the IT Manager is currently looking at off the shelf systems. It was also noted that the ICT position has improved considerably since the appointment of the IT Manager and he should be congratulated.

**DCS**

**CEO**

### **6.6 *Promotion of Pre-Claim Conciliation***

The DCA reported on the ongoing promotion of the pre-claim conciliation (PCC) service. It was noted that PCC is being closely observed (1) with regard to the early resolution of disputes and (2) in consultation with ACAS.

**DCA**

### **6.7 *DEL Review of Dispute Resolution in NI***

#### **(i) *DEL Advisory Group***

It was noted that a revised draft of the Group Terms of Reference is still awaited from DEL. The next meeting of the Group is on 7 March 2012.

#### **(ii) *Others Matters***

Nothing to report.

## **7. *Corporate Correspondence received relevant to Board***

Nothing received.

## **8. *Any Other Business***

There was no other business reported.

## **9. *Date of Next Meeting***

A Board away day is to take place on Thursday 15 March with the next meeting of the Board being held in Gordon Street, Belfast on Thursday, 19 April 2012 at 10.00 am.