

**MINUTES OF A MEETING OF THE SENIOR LEADERSHIP TEAM HELD AT 2.00 PM
ON TUESDAY, 19 JANUARY 2021
VIA VIDEOCONFERENCE**

Present:	Don Leeson	Chief Executive (Chair)
	Avril Alexander	Employment Relations Manager (ERM)
	Fionn Davey	Chair, NIPSA Branch 180
	Paul Lowe	Interim Director, Corporate Services
	Mark McAllister	Director, Employment Relations Services
	Neill Wallace	ERM
	Alison Wolfe	Minute Secretary

Apologies: None

The Chief Executive welcomed everyone to the first formal Senior Leadership Team (SLT) meeting under new governance arrangements. ERM membership of the SLT provides an opportunity for wider Senior Management Team (SMT) input. The Trade Union Branch Chair will also attend meetings to facilitate better staff input to decision-making and foster even better employment relations and trust. The Chief Executive asked members to be respectful of the Branch Chair's attendance, which should not be taken as endorsement of decisions taken at SLT meetings. Minutes of the formal SLT meetings will be published on the Agency's website.

Declarations of Interest: no conflicts of interest were declared.

1. Terms of Reference for SLT and SMT Meetings (Paper SLT 01–01/21)

- 1.1 It was noted that the draft Terms of Reference (ToR) had been consulted on widely before the meeting. The ToR were agreed.
- 1.2 ERM membership of the SLT also provides a developmental opportunity for SMT members who will participate on a three-month rota basis. The current SMT participants will remain on the SLT for a further three months to experience the new governance arrangements.
- 1.3 Directors will mentor ERMs during their time on SLT in terms of passing on experience and providing context to discussion papers in advance of and following meetings. Each Director will mentor the ERM from the other Directorate. However, given that the current SMT members are from the same Directorate, the Directors will decide how to manage this for the next three months.

Action: Director of Employment Relations Services/Director of Corporate Services

2. Chief Executive's Update

2.1 All arms' length bodies have been asked to take legal advice on the impact on them of the outcome of a Court of Appeal judgement involving the Charity Commission for Northern Ireland. Initial legal advice suggests there is an impact on the Agency. Counsel opinion is now being sought on how to mitigate this risk and on any legislative change required to address this in the longer term. This might for example involve a scheme of delegation from the Board regarding what decisions can be made by staff.

2.2 The Director of Employment Relations Services confirmed that advice on the position of independent appeals within scope of the Agency's remit will be obtained as part of the current review of the service.

Action: Director of Employment Relations Services

2.3 A meeting of the Roundtable has been arranged for 17 February 2021.

2.4 Stakeholder meetings are being arranged for the Chief Executive to formally introduce himself and to seek their views as part of the corporate planning process.

2.5 The Chief Executive, Director of Employment Relations Services and Director of Corporate Services will attend the final session of the current Leadership Development Programme on 26 January 2021. HR are exploring options to run a third cohort in the current financial year.

2.6 The Chief Executive, Director of Corporate Services and IT Manager will meet IT Assist on 1 February 2021 to discuss the feasibility of on boarding to their services. If this is not an option, a procurement process to identify a private sector service provider will be undertaken.

Action: Chief Executive/Director Corporate Services

2.7 The Chief Executive reported that the current Management Statement and Financial Memorandum between the Agency and DfE is being replaced by a Partnership Agreement to cover the sponsorship relationship. The Chief Executive has provided comments to DfE on an initial draft Partnership Agreement; the next iteration will be shared with the SLT when received.

Action: Chief Executive

2.8 The Board Chair, Chief Executive, Director of Employment Relations Services and Director of Corporate Services will meet DfE officials on 27 January to discuss the University of Warwick research report on employment relations models. The SLT will consider the key discussion points on 26 January 2021 with a view to briefing the Chair at a pre-meeting.

Action: Senior Leadership Team

3. Directors' Updates

- 3.1 The Director of Corporate Services highlighted a number of issues, including the following:
- 3.1.1 Work is underway to identify a Diversity Champion;
 - 3.1.2 HR to provide input to the Senior Management Team meeting on 27 January 2021 regarding health and wellbeing issues, actions arising from the Chest Heart Stroke survey and performance appraisals. The HR team have had discussions with the lIP Assessor to inform thinking regarding the development of the appraisal system;
 - 3.1.3 The Communications Manager is reviewing the instructions on the EC portal regarding its use, particularly for representatives;
 - 3.1.4 Outcomes based accountability – arrangements are in place to evaluate the Line Management Certificate over next three months. Options are being considered to capture feedback on online webinars.
 - 3.1.5 Quality assurance arrangements to underpin official data provider status are being progressed;
 - 3.1.6 Following CMRS testing, one remaining issue is being dealt with by Civica;
 - 3.1.7 Proposals are being progressed to address access issues faced by representatives;
 - 3.1.8 A software upgrade to telephony has commenced;
 - 3.1.9 New application web firewall has been approved for installation;
 - 3.1.10 Work on the 'Dropbox' facility is progressing;
 - 3.1.11 Training for health and wellbeing champions is scheduled for this week;
 - 3.1.12 Board appointments – the Agency has agreed to facilitate interviews as needed by DfE;
 - 3.1.13 A motivational speaker has been identified to be the next in the series of lunchtime talks to staff, following the DfE Permanent Secretary on 20 January 2021.
- 3.2 The Director of Employment Relations Services highlighted a number of issues, including the following:
- 3.2.1 Material has been recorded for the Line Management Certificate;
 - 3.2.2 Work has commenced on the development and recording of four additional good practice seminars;
 - 3.2.3 Board to be updated on the decision, due to demands on resources, to pause mediation and independent appeals (except for dismissal and redundancy);
 - 3.2.4 Consultation on the review of the independent appeals service will commence shortly;
 - 3.2.5 Legal advice is expected shortly on the handling of independent appeals that appear not to be statutorily compliant;
 - 3.2.6 Individual conciliation case receipts are averaging 12 per day;

- 3.2.7 Workplace Information Service (WIS) calls are averaging 100 per day;
- 3.2.8 Industrial action has been suspended in a high profile collective conciliation case;
- 3.2.9 Papers on Strategic Themes 1 and 3 for the new Corporate Plan have been drafted for Board approval;
- 3.2.10 An ERO is due to return from maternity leave.

4. Board Matters

Actions arising from the last Board meeting (Paper SLT 02-01/21)

- 4.1 The Director of Employment Relations Services awaits responses from members of the Roundtable in respect of case studies for use in workshops to promote the Joint Declaration of Protection. Chief Executive to raise the issue in his meeting with Sam Davidson on 22 January 2021.

Action: Chief Executive/Director of Employment Relations Services

- 4.2 Installation of the WIS automated customer survey is anticipated this week. The TU Chair asked about any possible impact on the telephone service while the update is carried out. The IT Manager will be asked to identify any possible service impact from this work.

Action: Director Corporate Services

- 4.3 Corporate Governance policies, including Board Standing Orders, are being updated for the March 2021 Audit and Risk Assurance Committee and Board meetings.

Action: Director Corporate Services

- 4.4 The Chief Executive will propose that the SLT provide presentations on both the corporate and business plans at the February 2021 Board meeting. Thereafter, a consultation document on the draft Corporate Plan consultation paper and draft Business Plan will be submitted to the March 2021 Board meeting for sign-off. The plans will then be presented to the June 2021 Board meeting for approval – this will allow time for the new Chair and Board members to be consulted on these before they are finalised.

Action: Chief Executive

- 4.5 A Stage 2 grievance appeal to a Joint Appeals Board (JAB) has been passed to the Arbitration Secretary to progress.

- 4.6 The Board asked that consideration is given to stipulating that the employee representative on a JAB is from a union other than that representing Agency staff and the use of an independent Board member. The Trade Union Side will be consulted.

Action: Director Corporate Services

4.7 It was noted that funding is available to update the document vetting service. Quotes for this work will be obtained.

Action: Director Corporate Services

4.8 A procurement exercise to engage an events management company to progress work on the employment relations conference is being prepared. Decisions are required around timing and the preference for a virtual or physical event. The University of Warwick research may provide a focus for the event.

Action: Chief Executive

4.9 Links to the recordings of the Director of Employment Relations Services' annual employment law update at the recent Legal Island annual conference have been forwarded to Board members. The Director of Employment Relations Services is recording a revision day based on cases from 2020.

4.10 A recognition and reward scheme is being prepared for approval at the March Board meeting. Possible changes to the NICS special bonus arrangements will be taken into account in the proposals.

Action: Director Corporate Services

4.11 A separate discussion to explore longer term options for a more flexible approach to resourcing conciliation is needed.

Action: Director Corporate Services

Preparation for the next Board meeting (Paper SLT 03-01/21)

4.12 The agenda for the January 2021 Board meeting was agreed.

5. People Matters

HR metrics (Paper SLT 04-01/21)

5.1 The SLT noted the HR Metrics, particularly the relatively low absence rate. Concerns that this might be due to 'presenteeism' were dispelled; it was agreed that HR and line managers are supporting staff effectively. There is however a risk of 'ambient anxiety' caused by the impact of the pandemic and home schooling, may account for stress being reported by a number of staff. The Branch Chair was thanked for her insight. Stress will be the focus of the SMT meeting on 27 January 2021.

5.2 It was noted that a number of staff have been unable to take their annual leave in full due to business pressures caused by Covid-19 and are seeking approval to carryover untaken leave into the new leave year. It was agreed that a sympathetic approach should be taken to this, but that staff should be encouraged to use their carried over leave as soon as possible.

5.3 It was agreed to investigate the possibility of offering staff pneumonia vaccinations as part of wellbeing programme.

Action: Director Corporate Services

Recruitment Plans

5.4 Expressions of interest are being sought from staff in relation to temporary promotion opportunities at ERM, ERO and EOII grades.

5.5 A new member of staff will be joining the Agency on 15 February 2021 to fill an EOII vacancy in the Business Support Team. Consideration to be given to an induction process in virtual environment. The Chief Executive has asked HR to explore creating a photographic organisation chart for new employees.

5.6 The appointment of additional agency workers is being progressed

Other people matters

5.7 EU Exit funding has been confirmed for 2021-22. This means that temporary arrangements for a number of staff can be extended until at least 31 March 2022.

5.8 It was noted that, subject to funding, the intention is to put current temporary staff arrangements on a permanent footing. In line with this, the Chief Executive has asked HR to identify options regarding Administrative Officers.

Action: Director Corporate Services

5.9 A selection process is needed in the event that there is insufficient funding to grant additional hours on a permanent basis to all substantive staff who request them. The Trade Union Side will be consulted on this.

Action: Director Corporate Services

6. Performance against Business Plan for the period ended 31 December 2020 (Paper SLT 05-01/21)

6.1 The Director of Employment Relations Services provided an update on Strategic Theme 1. He highlighted the consistent increase in demand for Agency services.

6.2 The Director of Employment Relations Services reported on his meeting with the Equality Commission's new Dedicated Mechanism Unit to monitor that there is no diminution of rights as a result the UK's exit from the European Union. There is scope for joint working on this, particularly now that the Agency's funding for work in this area has been confirmed.

6.3 The Chief Executive reported on Strategic Theme 2. It was agreed to publish the Cardiff research report as soon as possible and align it to the launch of the Line Management Certificate. The report can also be linked in due course to guidance on violence in the workplace being prepared by CIPD and NIC-ICTU.

Action: Director Corporate Services

6.4 In terms of Strategic Theme 3, the Director Corporate Services reported that the Agency awaits the report on the ISO 27001 audit, which was completed in December 2020. Informal feedback indicates that there are no compliance issues. The IT Manager is due to present the report to the Audit and Risk Assurance Committee in March 2021.

7. Finance Matters

Management Accounts for the period ended 31 December 2020 (Paper SLT 06-01/21)

7.1 The Chief Executive reported an underspend in employment costs is due to posts not being filled as quickly as anticipated. As a result, the Agency may not need additional money in the current year for new staff. An underspend in learning and development could be covered by a third cohort of the leadership and development programme.

Financial outlook for 2021-22

7.2 The Agency is seeking £1.3m additional funding in 2021-22. This is the additional funding provided in 2020-21, with further requirements in respect of staffing for holiday pay conciliations and Head Office dilapidations.

7.3 The Chair and Chief Executive met DfE officials on 13 January 2021 to discuss this matter. DfE are very supportive of the Agency's bid, which they see as a priority. However, they await confirmation of their own budget before any decisions can be made on the Agency's funding.

8. Corporate Risk Register (Paper SLT 07-01/21)

8.1 The updated Risk Register was noted. The reputational risk remains at 'extreme' pending resourcing of holiday pay conciliations for 2021-22.

8.2 The Register has been updated to reflect work that is currently ongoing regarding conciliation resourcing and pending legal opinion in respect of independent appeals.

9. Any Other Business

9.1 The agenda for the next SMT meeting was agreed. This will focus on actions to address stress reported by staff in the recent Chest Heart Stroke survey, and performance appraisals.

9.2 The SMT meeting in February 2021 will include a briefing by the Investors in People Assessor on next steps following achievement of the Gold standard, and a discussion on the creation of 'knowledge tsars'.

9.3 Zoom invitations for SMT meetings for the year ahead will be issued.

Action: Secretary

9.4 The Chief Executive asked SLT members to consider the desirability of holding a staff conference in the near future, before end March 2021. Possible topics include the new Corporate Plan, return to office issues and liP Platinum action planning.

Action: SLT

10. Dates of Next Meetings (Paper SLT 08-01/21)

10.1 The schedule of formal SLT meetings for the period to March 2022 was agreed.

10.2 The next formal meeting of the Senior Leadership Team will be on Tuesday, 16 February 2021 at 10.30 am by videoconference.

Action: Secretary