

**MINUTES OF A MEETING OF THE SENIOR LEADERSHIP TEAM (SLT) HELD AT  
10.00am ON 21 SEPTEMBER 2021 VIA VIDEOCONFERENCE**

**Present:**

Mark McAllister	Director of Employment Relations Services (Chair)
Patricia Coulter	Employment Relations Manager (ERM)
Paul Herink	Employment Relations Manager (ERM)
Paul Lowe	Director of Corporate Services
Alison Wolfe	Minute Secretary

**Apologies:** Don Leeson, Fionn Davey

**Declarations of Interest:** no conflicts of interest were declared.

**1. Minutes from the Senior Leadership Team meeting held on 17 August 2021  
(paper SLT 01-09/21)**

1.1 The minutes of the meeting held on 17 August 2021 were agreed for publication on the Agency's website.

**Action: Secretary**

**2. Actions arising from the previous minutes**

2.1 The Director of Employment Relations Services referred to Helen Smyth's participation on Radio Ulster's 'On Your Behalf' programme to discuss the menopause at work guidance (para 2.3 of the minutes of the last meeting refers). Following the programme and Marie Louise Connolly, the BBC NI Health Correspondent's comments on Twitter, there was a lot of interest shown in the topic. The Agency plans to participate in a further event on World Menopause Day in October.

2.2 The Agency has now produced guidance on Covid-19 Vaccinations and Menopause at Work with further guidance being developed on hybrid working and on domestic violence.

2.3 STA are continuing to liaise with BT48 on the new document toolkit (para 4.6 of the minutes of the last meeting refers).

**Action: Director of Employment Relations Services/Helen Smyth**

2.4 The Chief Executive, Director of Employment Relations Services and Economic Recovery Manager held a positive meeting with senior officials from Invest NI on 23 August (para 2.8 of the minutes of the last meeting refers). Arrangements are in place for the Economic Recovery Manager to meet various key contacts within Invest Northern Ireland (INI) and to involve the Agency in supporting new foreign investment in NI. A flyer explaining the role of the Economic Development Team in supporting businesses here has been produced and circulated to key stakeholders.

**Action: Chief Executive/Director of Employment Relations Services**

2.5 The Director of Employment Relations Services thanked (ERMs) for their input to a Board paper on the Review of the Independent Appeals service (para 2.17 of the minutes of the last meeting refers). The paper will be presented to the September 2021 Board meeting. This is a fundamental review of the independent appeals service and pending Board approval the net result will be a withdrawal of the service. The Chief Executive and Director of Employment Relations Services are continuing to meet with stakeholders to discuss options and outline the potential direction of travel in bringing their processes in-house should the Agency decide to discontinue the service.

**Action: Chief Executive/Director of Employment Relations Services**

2.6 The Director of Corporate Services reported that the James House Working Group awaits a firm commitment from Property Division regarding any rent increase after five years in James House (para 2.18 of the minutes of the last meeting refers). It was rumoured that there may be a return to market rate after five years.

**Action: Director of Corporate Services**

2.7 The Director of Corporate Services will be attending the next meeting of the ReWage Advisory Group (para 3.3 of the minutes of the last meeting refers). Lisa Wilson of the Nevin Institute in Belfast will provide input around NI labour market analysis. Further information on the Group can be found on the Warwick University website.

**Action: Director of Corporate Services**

2.8 The Agency responded to a request from the Department for the Economy (DfE) to comment on their racial equality strategy. It was noted that difficulties have been encountered in following up contact with representatives from the African & Caribbean Support Organisation Northern Ireland (ASCONI) (para 3.4 of the minutes of the last meeting refers).

2.9 The Director of Corporate Services reported that the Business Support Team Manager will be circulating the Data Strategy and IS Strategy to the Senior Management Team (SMT) this week for comment (para 4.10 of the minutes of the last meeting refers).

2.10 The Business Support Team (BST) Manager will also be circulating the Early Conciliation evaluation questionnaires to SMT for comment. Comments already received from Individual Conciliation ERMs are being taken on board.

**Action: Director of Corporate Services/BST Manager**

2.11 The Director of Corporate Services reported that the outstanding issue in the Disciplinary Policy around the Joint Appeal Board (JAB) had been resolved (para 6.14 of the minutes of the last meeting refers). This was noted at Joint Negotiating & Consultative Committee (JNCC) on 19 August.

2.12 The Agency's guidance on hybrid working was circulated to members of the NI Engagement Forum and DfE for comment (para 12.1 of the minutes of the last meeting refers). Comments received will be taken on board with a view to launching the document at the Board strategy day on 30 September.

2.13 The Director of Employment Relations Services reported that a paper on the Review of the Mediation Service will be presented to the September 2021 Board meeting for discussion (para 12.1 of the minutes of the last meeting refers). He thanked ERMs for their input to the document.

**Action: Director of Employment Relations Services**

### 3. Directors' Updates

3.1 The Director of Employment Relations Services will be participating in Radio Ulster's 'On Your Behalf' programme on Saturday, 25 September to discuss hybrid working. A launch date has yet to be agreed for the guidance.

3.2 The Director will be holding a briefing session with 35 Northern Ireland Civil Service Human Resources (NICSHR) Grades 7 & 5 on core themes and constructs within NI employment law.

3.3 A presentation is also planned to the Governance Institute of Ireland on hybrid working; this will be a Continuing Professional Development (CPD) event for their members.

**Action: Director of Employment Relations Services**

3.4 The Director of Corporate Services provided a detailed update.

3.5 There has been a significant increase in the number of departmental returns recently relating to a wide range of issues – returns for the DfE Minister, economic recovery, work with Department of Justice (DoJ) on race crime.

- 3.6 The recent Finance & Personnel Committee meeting was primarily about the four strategies currently being developed. The Committee were content with the papers and congratulated staff on their input.
- 3.7 The recent Audit & Risk Assurance Committee meeting was largely concerned with the Corporate Risk Register in advance of the Register's submission to the September 2021 Board. There was considerable discussion in terms of the management and presentation of the Register. The Internal Auditors will be commencing their review next week and have been asked to look at the Risk Register in terms of presentation. Following discussion by the Committee, amendments were made to the terms of reference for this year's audit of Corporate Governance and Early Conciliation. Committee member's comments are being sought on the amended terms of reference. Terms of reference to be shared with SLT.
- 3.8 The SLT have held three team-building sessions with Marcomm. The sessions have been very useful and the team are starting to see results. Next steps will be to involve SMT members.
- 3.9 It was noted that both the Knowledge Manager and Accommodation Project Manager are becoming well established in planning their roles and activities. The Accommodation Project Manager is looking at colour schemes and soft furnishings for James House.
- 3.10 The Human Resources (HR) team are developing the People Strategy and finalising the training plan for this year.
- 3.11 The HR team have been shortlisted by the Chartered Institute for Personnel & Development (CIPD) for an 'Excellence in People Management Practice in SMEs' award. The award ceremony will take place on 7 October.
- 3.12 The Communications Manager has been involved in a procurement exercise to engage a media partner. It is hoped that a partner will be in place and able to join the Board at their strategy day on 30 September.
- 3.13 Work is progressing on plans for the inter-agencies conference in December 2021 and the employment relations conference in February 2022.
- 3.14 A student placement has commenced, working with the Communications Manager.
- 3.15 The BST Manager is updating information policies. The Complaints Policy and Procedure has been circulated to SLT for comment. Staff training in handling complaints is on track for delivery before Christmas.

**Action: Director of Corporate Services**

3.16 In terms of the Knowledge Manager role, Patricia Coulter reported that she has been seeking staff volunteers to provide presentations summarising the content of the Daniel Barnett zoom sessions. The information is useful, particularly in respect of vaccines and legislation. SLT noted that one volunteer is a new member of staff, the other more experienced. Patricia will support staff in this work.

3.17 Patricia is also keen to get information out to staff and intends to hold some shared learning sessions for staff, starting with disability discrimination. A need was identified for a training session with new members of staff around knowledge and hierarchy of knowledge and the differences in GB and NI employment law.

3.18 Patricia reported that she is finding the management of information challenging and is trying to establish a simplistic system to do this.

**Action: Patricia Coulter**

3.19 Paul Herink reported that he is positive issues around the Case Management Record System (CMRS) Phases 3 and 4.1 will be resolved by the end of this week.

3.20 Paul also reported that he is working closely with the BST Manager to establish better ways of collecting customer survey responses via CMRS. An update will be provided in due course.

**Action: Paul Herink**

#### **4. Board Matters**

##### **Actions arising from the last Board meeting**

4.1 The Director of Employment Relations Services reported that the Irish National Teachers' Organisation (INTO) are keen that the joint declaration is included in a workshop at the employment relations conference in February 2022.

4.2 The hybrid working guidance is nearing completion. The Agency awaits comment from DfE but hopes to be in a position to launch the guidance during w/c 27 September.

**Action: Director of Employment Relations Services**

4.3 The Director of Corporate Services is responding to a number of queries raised by DfE on the business case for IS Managed Services.

**Action: Director of Corporate Services**

## Preparation for the next Board meeting

- 4.4 The key agenda items for the September Board meeting were agreed (paper SLT 03-09/21).
- 4.5 It was noted that the Chair had suggested a small number of slides should be included in the discussions at the Board's strategy workshop on 30 September.

**Action: All**

## 5. People Matters

### HR metrics

- 5.1 The Director of Corporate Services presented the HR Metrics (paper SLT 04-09/21), which were noted.
- 5.2 It was noted that absence remains low.
- 5.3 Time spent on training has increased significantly which will be reflected in the budget.
- 5.4 HR have drafted an action plan in response to the Healthy Place to Work report.
- 5.5 The Director of Employment Relations Services reported that there were quite a few staff in Head Office today. However, a rescheduled Arbitration Hearing which had been due to take place was cancelled at the last minute due to a participant testing positive for covid.

**Action: HR**

## 6. Business Plan Performance Report for the period ending 31 August 2021

- 6.1 The Business Plan Performance Report (paper SLT 05-09/21) was noted.
- 6.2 In the absence of the Trade Union Side (TUS) Chair, it was agreed to seek comments on the Report by correspondence
- 6.3 The narrative around the Independent Appeals Service has been updated to include specific figures; these have been highlighted in bold print.

**Action: Secretary**

- 6.4 Work on CMRS and the web portal have been delayed due to competing ICT priorities i.e. business cases and development work. It is anticipated that the work will be completed this week.
- 6.5 Progress has been slow in the development of a new intranet. Further testing and uploading of content is needed before launch.
- 6.6 The Agency awaits Ministerial approval of the 2021-25 Corporate Plan.
- 6.7 The Director of Employment Relations Services reported that in Great Britain new legislation has been passed to address technicalities on being able to name more than one respondent in a case. An ERM has been asked to prepare a briefing note on the new GB regulations and to liaise with DfE in respect of any plans to replicate the change in NI. It was agreed that the changes in GB legislation should be flagged up at the EC Project Board meeting on 7 October.

**Action: Director of Employment Relations Services/Patricia Coulter**

## **7. Finance Matters – Management Accounts for the period ended 31 August 2021**

- 7.1 The Director of Corporate Services reported that resource expenditure is £188K below profile, of which £133K are employment costs. The decision was taken based on year-end forecasting to surrender £150K of the additional funding allocated for economic recovery. The monies will be returned as part of October monitoring.
- 7.2 GAE is currently £54K below profile. No capital budget has been committed to date but will be used in relocation to James House.
- 7.3 Prompt payment performance information to be updated.

**Action: Director of Corporate Services**

## **8. Corporate Risk Register**

- 8.1 The Director of Corporate Services reported that there had been considerable discussion at the Risk Workshop on 5 August and at the subsequent meeting on 10 September. Discussion centred round the presentation and management of information. The Risk Register was presented to ARAC on 13 September and will be reviewed as part of this year's governance audit.
- 8.2 Emerging risks are being captured as 'hazards' to be identified, assessed and managed. Some key hazards this year are round accommodation and ICT issues which are high profile in terms of the transition to IS managed services and CMRS.

8.3 The Director of Employment Relations Services and the Director of Corporate Services agreed the importance of having a risk register that was proportionate with risks managed and escalated appropriately. There was a need to strike a balance in terms of doing and scrutinising.

**Action: Chief Executive/Director of Corporate Services**

## **9. Review of the Independent Appeal Service**

9.1 The Director of Employment Relations Services indicated that the cover paper recommends the Agency withdraw from the facilitation of new requests for independent appeals with effect from April 2022 with a view to concluding existing backlog by April 2023. Pending Board approval, a series of discussions will be held with stakeholders as to how they will manage the expectations of their users going forward.

9.2 It is acknowledged that while the Agency facilitates the process, it is unable to control it and many of the queries raised are about delays, inadequacy of decisions, actions of panels.

9.3 There is potential in some sectors for facilitation.

9.4 It was agreed to forward the Board paper to Deirdre Fitzpatrick in her role as Board reference point for the review.

9.5 It was also agreed to send the paper to the TUS Chair.

**Action: Director of Employment Relations Services/Secretary**

## **10. Review of the Mediation Service**

10.1 The Director of Employment Relations Services reported that the paper sets out a number of possible options regarding the future delivery of the Mediation Service for consideration by the Board.

10.2 It is not underpinned by a strategy as it is and is not sustainable in its current guise. A number of options are outlined for consideration by the Board. Internally it is a service the Agency would like to retain but it needs to be underpinned by strategy.

10.3 It was agreed that it would be useful to have a Board contact point as with the review of the independent appeals to bring a wider perspective. The service is a key part of the Agency's dispute resolution service.

10.4 The Director of Employment Relations Services will be suggesting that the primary legislation is modernised to reflect the service. This would also require DfE to be supportive and provide funding.

10.5 Along with changes to the document review service this would be a fundamental change to the services provided by the Agency.

**Action: Director of Employment Relations Services**

## **11. Any Other Business**

None.

## **12. Date of Next Meeting**

12.1 The next formal SLT meeting will be on 12 October 2021 at 10.00 am, by videoconference.

12.2 The Director of Employment Relations Services asked to record his apologies due to a diary clash.

12.3 Record that TUS views on the Business Plan Performance Report and Management Accounts will be sought via correspondence. It was agreed to also forward papers on the Review of the Independent Appeals Service and Review of the Mediation Service to the TUS Chair.

**Action: Secretary**