

**MINUTES OF THE 474th MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD AT 10.00am ON 23 MAY 2022
IN LABOUR RELATIONS AGENCY, GORDON STREET, BELFAST**

Present: Gordon Milligan (Chair)
Geraldine Alexander
Clare Duffield
Deirdre Fitzpatrick
Kevin McCabe
Michelle McGinley
Daire Murphy
John Taylor

In Attendance: Don Leeson Chief Executive
Paul Lowe Director of Corporate Services
Mark McAllister Director of Employment Relations Services
Aideen Duggan Board Apprentice

Apologies: Jill Minne
Lee Wilson

This was a 'hybrid' meeting, with a number of participants attending by videoconference.

The meeting was conducted under the revised Standing Orders agreed at March 2022 Board meeting. Decision Time meeting management software was used for the first time to facilitate the meeting without the use of hard copy papers.

Board members met 'in-camera' prior to formal commencement of the meeting. The key points from this discussion are recorded at agenda item 1.

Declarations of Interest: None.

1. Chair's Opening Remarks

- 1.1 Board members noted that this meeting had been rescheduled from 19 May 2022 to facilitate the Chair and Chief Executive's attendance at a Department for the Economy's partnership engagement event. The Chair reported on that event, which was used by DfE's Permanent Secretary and officials to brief representatives of arm's length bodies on the political, economic and public sector financial outlook. The PowerPoint presentations used at the event will be circulated to Board members.

Action: Chief Executive.

- 1.2 The Board noted that a special meeting of the NI Engagement Forum on Covid-19 has been scheduled for 1 June 2022. This is to facilitate discussion on the post-Covid industrial relations climate by the Forum's employer and employee representatives; it also provides an opportunity for DfE to update those representatives on the current economic situation and outlook. The key points from the meeting will be reported at the next Board meeting, as appropriate.

Action: Chair

2. Minutes of Previous Board Meeting

- 2.1 The minutes of the meeting held on 31 March 2022 (paper BP01-05/22) were agreed as an accurate record of the meeting, and for publication on the Agency's website.

Action: Executive Assistant

3. Action Points from Previous Board Meetings

- 3.1 The Chief Executive introduced the progress report on action points from previous Board meetings (paper BP02-05/22), which was noted by the Board.
- 3.2 Board members noted that the Minister for the Economy approved the Agency's Business Plan for 2022-23 on 10 May 2022. It has now been published on the Agency's website. The first report on progress in implementing the Business Plan will be presented to the next Board meeting.

Action: Senior Leadership Team

- 3.3 With DfE's increased emphasis on partnership working, the Board is hopeful that the new Partnership Agreement between the Agency and the Department will be progressed. The Chief Executive will follow this up with DfE, so that consideration of a draft agreement can be scheduled for a forthcoming Board meeting.

Action: Chief Executive

- 3.4 It was noted that Board member appraisals are underway and will be concluded in the coming weeks.

Action: Chair

4. Chief Executive's Report

- 4.1 The Chief Executive presented the report (BP03-05/22), which was noted by the Board.

- 4.2 The Chief Executive reported on a meeting held on 29 April 2022 with senior officials of Unite to discuss the current industrial relations environment. It was noted that this issue will also be discussed at the forthcoming Engagement Forum meeting, where the Agency intends to reiterate the importance of early and sustained dialogue, and encourage all parties to make use of our collective conciliation services, to resolve the disputes.
- 4.3 The Director of Employment Relations Services provided an update on current industrial disputes and progress made by the Agency in helping resolve a number of these.
- 4.4 The Director of Employment Relations Services also provided an update on a roundtable discussion on hybrid working, which had been hosted by Diversity Mark on 19 May 2022. The meeting, which included the Head of the Civil Service and business leaders, provided an opportunity to promote the Agency's guidance on hybrid working. Following on from this, the Board noted progress being made by the Agency to encourage its own staff to adopt hybrid working.
- 4.5 The Chief Executive briefed Board members on the last year's sick absence rates, which are contained in the Accountability Report to the Annual Report and Accounts for 2022-23 (see agenda item 5 below). The preponderance of mental ill health as one of the main causes of absence was noted. The Board Mental Health Champion agreed to participate in a meeting to be arranged with the Senior Leadership Team and HR to consider the work the Agency does to promote mental health and wellbeing and whether more can be done to support staff.

Action: Chief Executive/Geraldine Alexander

- 4.6 Board members approved a proposal that they participate in unconscious bias training, which is being delivered to staff. This will comprise two workshops. The first will be scheduled at the September 2022 Board meeting when it is intended that the Board considers the Agency's Equality, Diversity and Inclusion Strategy. The follow-up workshop will be on a date to be arranged.

Action: Chief Executive

- 4.7 Board members were invited to join staff in participating in the Belfast and Foyle Pride events on 30 July and 27 August 2022 respectively. Participation builds on earlier work with the Rainbow Project to raise awareness of the Agency's services with the LGBT+ community; it is also intended to show support to LGBT+ staff.
- 4.8 A further revision to the timetable for Head Office relocation was noted. The Agency will now move to James House on 12 September 2022.

5. Annual Report and Accounts for 2021-22

- 5.1 The Chief Executive introduced the paper, which contained the Performance and Accountability Reports of the Annual Report and Accounts for 2021-22 (paper BP04-05/22). It was noted that these are the main narrative sections of the Annual Report and Accounts and are tabled at this stage to allow Board members an opportunity to make changes before they are submitted for external audit.
- 5.2 The Board noted that performance against the scorecards contained in the Business Plan for 2021-22 will not be available for inclusion in the Performance Report because of data collection problems. Work is ongoing to remedy this for 2022-23.
- 5.3 The Board approved the draft reports for submission to the NI Audit Office. Following audit, the reports will be incorporated with the Financial Statements into the final version of the Annual Report and Accounts for 2021-22 for detailed consideration by the Audit and Risk Assurance Committee (ARAC) on 13 June and subsequent approval at the June 2022 Board meeting.
Action: Chief Executive
- 5.4 In the meantime, the Chief Executive reported that the unaudited Financial Statements show that the Agency's budget outturn for 2021-22 is an underspend of approximately £30k.

6. End-Year Assurance Statement

- 6.1 The Chief Executive presented the End Year Assurance Statement for 2021-22, which he prepared for DfE in his capacity as the Agency's Accounting Officer (paper BP05-05/22), for noting by the Board.
- 6.2 The Board noted that the Assurance Statement includes a checklist of expected practice and an explanation of areas of non-compliance. The End Year Assurance Statement identifies four areas of non-compliance.
- 6.3 These are in relation to a data sharing agreement with the Tribunal service, IT matters, and a shortcoming with the Agency's founding legislation. These areas were identified at the mid-year stage. While not all are the sole responsibility of the Agency to address, progress has been made towards ensuring compliance and there is a clear pathway set out for achieving this.

7. Budget for 2022-23

- 7.1 The Director of Corporate Services presented the Agency's Budget for 2022-23 (paper BP06-05/22).

7.2 The Board noted that the Agency's baseline has been increased. This includes funding for a post to support the Certification Office taking on responsibility for the Industrial Court. The Chief Executive reported that this is only a proposal at this stage and is awaiting discussion with the new Certification Officer, whose appointment is imminent; Board approval will also be required in due course.

Action: Chief Executive

7.3 The Director of Corporate Services reported that the Agency will be seeking additional funding through in-year bids. This will be to offset additional Head Office rental costs, which have resulted from the delay in relocation. Funding for support to the Roundtable and the Agency's communications work will also be sought during budget monitoring rounds.

Action: Director of Corporate Services

7.4 The Board approved the Budget for 2022-23. Monthly management accounts will report financial performance against the budget to the Board.

8. Corporate Risk Register for 2022-23

8.1 The Director of Corporate Services presented the Agency's Corporate Risk Register for 2022-23 (paper BP07-05/22).

8.2 The Board noted that the Risk Register adopts the revised format, which was agreed at the last Board meeting. It was also noted that the risks identified were discussed at a workshop involving ARAC and Senior Management Team members on 27 April 2022; the subsequent draft Risk Register was circulated for ARAC member comment.

8.3 The Board approved the Corporate Risk Register for 2022-23. Progress in managing the identified risks will be reviewed at least monthly by the Senior Leadership Team, and at every ARAC meeting. The Board will be informed of new or escalating risks.

9. Finance and Personnel Committee – Report on Meeting held on 3 May 2022

9.1 The Chair of the Finance and Personnel Committee presented the report on Committee meeting held on 3 May 2022 (paper BP08 05/22).

9.2 The Committee Chair reported that the Committee had commended staff for their work throughout the year and, in particular, for their media engagement and guidance to customers regarding action taken by P&O Ferries against its employees in March 2022.

10. Board Effectiveness Self-Assessment Report

10.1 The Chief Executive introduced the report on outcome of Board members' self-assessment of the effectiveness of the Board and its governance arrangements (paper BP09-05/22) for discussion by the Board.

10.2 The Chair outlined the strengths of the Agency's approach over the last 12 months to governance. These included effective induction for new Board members and agreement in March 2022 of a Board Learning and Development Plan, agreement of a new four-year Corporate Plan and annual business plans covering its first two years of operation, a substantive review of Standing Orders, effective sub-committees, and a strong relationship with the sponsoring Department. There are also areas where further action is being progressed in respect of stakeholder mapping and engagement.

10.3 Board members agreed that, while there were no major concerns, the self-assessment exercise has usefully highlighted some areas for possible improvement. It was agreed to consider these at an 'awayday'. This might usefully be held at the time of the September 2022 Board meeting and incorporate the planned unconscious bias training.

Action: Chief Executive

11. Any Other Business

11.1 There was no other business.

12. Review of the Meeting

12.1 Board members confirmed they were content with the quality of the papers and discussion at the meeting.

12.2 No concerns were raised about the use of Decision Time. However, it was noted that it may take one or two more meetings before everyone is fully confident in using all features of the system.

13. Date of Next Meeting

13.1 The next Board meeting will be on 23 June 2022 in the Agency's Head Office.

Action: Executive Assistant

13.2 The agenda for the next meeting was noted (paper BP10-05/22).