

MINUTES OF THE 475th MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD AT 10.00am ON 23 JUNE 2022
IN LABOUR RELATIONS AGENCY, GORDON STREET, BELFAST

Present: Gordon Milligan (Chair)
Geraldine Alexander
Clare Duffield
Deirdre Fitzpatrick
Kevin McCabe
Michelle McGinley
Jill Minne

John Taylor
Lee Wilson

In Attendance: Don Leeson Chief Executive
Paul Lowe Director of Corporate Services
Mark McAllister Director of Employment Relations Services
Diane Edgington Employment Relations Manager
Linda Olfhert Employment Relations Manager

Apologies: Daire Murphy

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

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 The Chair welcomed Employment Relations Managers Diane Edgington and Linda Olfhert who were observing the meeting as part of the Senior Management Team Development Programme.
- 1.2 It was noted that the Board Strategy Day will be on 28 September 2022, followed the next morning by the formal Board meeting; both will be held at Malone House, Belfast. The Strategy Day will include an externally facilitated workshop to consider the recent Board self-assessment results. A draft programme for the Strategy Day will be prepared for approval at the August 2022 Board meeting.

Action: Chief Executive

1.3 The Chair reported on a special meeting of the NI Engagement Forum on Covid-19 held on 1 June 2022. The meeting comprised the Forum's employer and employee representatives and was convened to discuss the post-Covid industrial relations climate. The Forum was also briefed by DfE's Permanent Secretary on the economic outlook. Forum members were content with a proposal to review the terms of reference of the Employment Relations Roundtable. The review will commence in the summer.

Action: Chief Executive

1.4 The Chair provided an update on the timetable for appointing new Board members to replace those whose appointments end in April 2023. The appointments will be advertised in the autumn, with interviews expected before the end of 2022. The new Board members are likely to be appointed in February 2023.

1.5 It was noted that the August 2022 Board meeting will be current Boardroom Apprentice Aideen Duggan's last. The Agency's new Apprentice, Christine Magill, will attend this meeting as part of her induction programme, ahead of her formal start on 1 September 2022.

Action: Chief Executive

2. Minutes of Previous Board Meeting

2.1 The minutes of the meeting held on 23 May 2022 (paper BP01-06/22) 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 BP02-06/22), which was noted by the Board.

3.2 Board members noted the intention to engage with the National Cyber Security Centre during the summer regarding penetration testing.

Action: Chief Executive/Director of Corporate Services

3.3 With DfE's increased emphasis on partnership working, and the new Partnership Agreement between the Agency and the Department expected later in the year, the Chief Executive will invite senior DfE officials to attend a Board meeting to discuss the new working arrangements.

Action: Chief Executive

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

Action: Chair

- 3.5 The Board noted the appointment of Tom Evans as the new Certification Officer for Northern Ireland, replacing Sarah Havlin whose appointment ended in June 2022 after 10 years. The Chief Executive is arranging a meeting with the new Certification Officer and Acting Chair of the Industrial Court to discuss the possibility of the secretariat for the Industrial Court being provided by the Certification Office.

Action: Chief Executive

4. Chief Executive's Report

- 4.1 The Chief Executive presented the report (BP03-06/22), which was noted by the Board.

- 4.2 The Chief Executive reported on a meeting held on 16 June 2022 with the Independent Health and Care Providers' Chief Executive to discuss supporting the economic recovery and sustainability of the sector, which has been badly hit by Covid-19. Further discussions are planned to develop this partnership.

Action: Director of Employment Relations Services

- 4.3 The Chief Executive reported on an introductory meeting he, together with the Chair and Director of Employment Relations Services, held on 16 June 2022 with the new Tribunal President. The President is interested in introducing Judicial Mediation into Northern Ireland, which will have operational implications for the Agency. The Agency will monitor developments.

Action: Chief Executive

- 4.4 Board members noted the extensive media coverage of the Agency's work in recent weeks, which has been helped by the support of a media partner. It was agreed that there would be value seeking funding for a similar arrangement for the year ahead.

Action: Director of Corporate Services

- 4.5 The Chief Executive briefed Board members on two internal data breaches involving personal information about staff and learning from these to help prevent recurrence.

- 4.6 A further slippage to the timetable for Head Office relocation was noted. While a revised timetable has not yet been proposed by the Department of Finance, the move to James House is expected to be delayed until the end of the year, and possibly into 2023. In the meantime, the Senior Leadership Team is considering the implications of the delay on plans for hybrid working and restructuring.

Action: Senior Leadership Team

5. Audit and Risk Assurance Committee

Annual Report to the Board for 2021-22

- 5.1 The Chair of the Audit and Risk Assurance Committee (ARAC) presented the Committee's annual report to the Board (paper BP04-06/2) summarising its work in 2021-22. The Chair thanked past and current Committee members and staff for their support to the Committee during the year.
- 5.2 The Board noted that the Agency has achieved a satisfactory annual assurance rating from internal audit, which is the highest available.
- 5.3 The Board Chair and Chief Executive thanked the Committee Chair and members for their work in providing constructive challenge and maintaining a focus on good governance. The Chair praised in particular the Committee's handling of scrutiny of revisions to the Agency's approach to risk management and Board Standing Orders.
- 5.4 The Board noted the annual report.

Report on Meeting held on 13 June 2022

- 5.5 The Committee Chair presented the key points from the ARAC meeting held on 7 June 2021 (paper BP05-06/22).
- 5.6 The Committee Chair reported on the Committee's 'in camera' meetings with Internal and External Audit. This provided positive feedback and assurance on the work of the Senior Leadership and Finance Teams regarding controls and co-operation with the auditors.
- 5.7 The Board noted the report.

6. Annual Report and Accounts for 2021-22

- 6.1 The Chief Executive presented the Annual Report and Accounts for 2021-22 (paper BP06-06/22) for Board approval.
- 6.2 The Performance and Accountability Reports had been reviewed at the last Board meeting and the Financial Statements were reviewed at the recent ARAC meeting. It was noted that the Financial Statements show that the Agency achieved its financial targets in 2021-22.

6.3 The ARAC meeting had reviewed a draft of the NI Audit Office's (NIAO) Report to those Charged with Governance (RTTCWG). The RTTCWG will be presented to the next Board meeting when it has been finalised and approved by the Comptroller and Auditor General.

Action: Director of Corporate Services

6.4 The Board approved the Annual Report and Accounts for 2021-22. The document will be signed by the Chief Executive and submitted to the NIAO for certification. It will then be laid in the Assembly and published on the Agency's website.

Action: Chief Executive

6.5 The Board expressed their appreciation to staff for their hard work and achievements during the year. It was noted that the Chair and Chief Executive will be meeting staff after the Board meeting and will pass on the Board's appreciation.

Action: Chair/Chief Executive

7. Business Plan Performance Report for the Period Ended 31 May 2022

7.1 The Chief Executive introduced the Business Plan Performance Report for the period ended 31 May 2022 (paper BP07-06/22). It was noted that this is the first Performance Report of 2022-23 and, given the relatively early stage of the year, all objectives were on track with a small number completed.

7.2 The Director of Employment Relations Services reported on the challenging nature of calls now being received by the Workplace Information Service (WIS). These include increasing numbers of callers experiencing mental ill health and those distressed by their economic position. It was agreed to invite WIS team members to the next Board meeting to discuss their work.

Action: Director of Employment Relations Services

7.3 The Director of Employment Relations Services provided an update on current industrial disputes, including five received in the last week, and progress made by the Agency in helping resolve a number of these.

7.4 The Chief Executive reported that discussions are underway with researchers from the University of Westminster to extend the coverage of research on the cost of workplace conflict from Great Britain to NI. The intention is to profile the research at the employment relations conference in February 2023.

7.5 The Director of Corporate Services reported that staff appraisals are on target to be completed by the end of June 2022. The Chief Executive's appraisal will be reviewed at an in-camera session at the next Finance and Personnel Committee meeting; the Chair will attend this.

Action: Finance and Personnel Committee

7.6 The Board noted the report.

8. Management Accounts for the Period Ended 31 May 2022

8.1 The Director of Corporate Services presented the Management Accounts for the period ended 31 May 2022 (paper BP08 06/22). Expenditure is largely on profile, save for earlier than expected payment of a rates bill.

8.2 The Board noted the current financial position.

9. Any Other Business

9.1 Updated guidance from the NI Audit Office on Board Effectiveness was noted by the Board. This will be taken into account in the governance workshop at the Board Strategy Day in September 2022.

Action: Chair/Chief Executive

10. Review of the Meeting

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

11. Date of Next Meeting

11.1 The next Board meeting will be on 25 August 2022 in the Agency's Head Office.

Action: Executive Assistant

11.2 The agenda for the next meeting was noted (paper BP09-06/22).