

**MINUTES OF THE 491st MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD ON 13 DECEMBER 2023 AT 10.00AM AT THE LABOUR RELATIONS AGENCY
HEAD OFFICE, JAMES HOUSE, 2-4 CROMAC AVENUE, BELFAST, BT7 2JA**

Present: Gordon Milligan (Chair)
Geraldine Alexander
Elizabeth Armstrong
Clare Duffield
Kevin McCabe
Orla Sheils
Mark Spence
John Taylor
Lee Wilson

In Attendance: Don Leeson Chief Executive
Mark McAllister Director of Employment Relations Services
Anne Dorbie Interim Director of Corporate Services
Virginia Aldana Boardroom Apprentice
Oliver Murray Executive Assistant

Apologies: None

The Board meeting was followed by an engagement event with staff, which included fundraising for the staff's Charity of the Year (Women's Aid).

Declarations of Interest: None.

1. Chair's Opening Remarks

- 1.1 The Chair thanked Sarah Havlin, Kevin McCabe, Lee Wilson and staff for representing the Agency at the Business Eye Awards on 30 November 2023. The Board noted that the Agency-sponsored 'Employer of the Year' award was won by FinTrU. The Chief Executive reported that they have been invited, along with Lidl NI (the 2022 winner), to take part in an Agency podcast on what makes a 'good employer'.
- 1.2 The Board congratulated staff for helping the Agency become a finalist in the 'Equality, Diversity and Inclusion' category at the Business Eye Awards.
- 1.3 The Board congratulated the Chief Executive on receiving the Institute of Directors' Director of Year award in the 'Equality, Diversity and Inclusion' category.

- 1.4 The Director of Employment Relations Services was congratulated on the positive feedback received for his contribution to Legal Island's annual review conference in November 2023. This presentation was successfully repeated at a joint event with CIPD NI, hosted by the North West Regional College, which again attracted positive feedback.
- 1.5 It was noted that the Head of the Civil Service has asked the Agency to convene an Engagement Forum meeting on 14 December 2023. This is to allow business leaders and senior trade unionists to be updated on the current political situation and financial outlook for next year.
- 1.6 The Board noted the Chair's forthcoming retirement from his role at Translink on 31 December 2023. The Chair's biographical information and Register of Interests will be updated accordingly.

Action: Chair/Executive Assistant

2. Horizon Scanning for Opportunities and Risks

- 2.1 The Chief Executive and Director of Employment Relations Services gave an update on risk mitigation plans in respect of expected demand for holiday pay conciliation. A draft business case for additional staff to meet this demand, which is being prepared by an independent expert, is expected to be received shortly. This will be discussed at the next Board meeting.
Action: Chief Executive/Director of Employment Relations Services
- 2.2 The Chief Executive confirmed that the Agency itself has been correctly calculating holiday pay entitlement and is not vulnerable to litigation on this matter.
- 2.3 The Chief Executive reported that the Department for the Economy has commissioned inputs to its 10X Delivery Plan, which is expected to cover the period 2024-27. As this provides a number of opportunities for the Agency to further promote improvements in employment relations, and will commit resources ahead of the Agency's next Corporate Plan, proposed actions will be submitted to the next Board meeting for approval.
Action: Chief Executive
- 2.4 The Board noted that the Agency will host a DfE Board meeting on 29 February 2024. This will provide an opportunity for the Agency to discuss its work with senior officials.
Action: Chair/Chief Executive

- 2.5 It was noted that the report on the recent PSNI data breach is due to be published imminently; it is expected to provide learning for all organisations on improved information security. Any learning for the Agency will be discussed at the next Audit and Risk Assurance Committee.

Action: Director of Corporate Services

3. Minutes of Previous Board Meeting

- 3.1 Minutes of the Board meeting held on 22 November 2023 (paper BP01-12/23) were agreed as an accurate record of the meeting for publication on the Agency's website.

Action: Executive Assistant

4. Action Points from Previous Board Meetings

- 4.1 The Chief Executive presented the progress report on actions from previous Board meetings (paper BP02-12/23), which was noted by the Board.

- 4.2 An update was given regarding the outcome of Agency's Article 86 review of collective bargaining arrangements in local government. Responses from SOLACE and the Local Government Staff Commission are expected shortly; the key points will be reported to the Board.

Action: Chief Executive

- 4.3 A meeting with the Irish Congress of Trade Unions is scheduled for 18 December 2023 to agree arrangements for the launch in early 2024 of guidance on sexual harassment in the workplace.

Action: Chief Executive

- 4.4 A meeting with the Agency and Equality Commission's senior staff is being scheduled for January 2024 as a precursor for a joint meeting of the respective boards later in the year.

Action: Chief Executive

5. Chief Executive's Report

- 5.1 The Chief Executive presented the report (paper BP03-12/23), which was noted by the Board.

- 5.2 Partnership work is underway with DfE and Timely Careers to organise a conference in Spring 2024 to showcase good practice in terms of flexible working, in line with commitments in the DfE's 10X Delivery Plan for 2023-24. The programme for this event will be presented to the January 2024 Board meeting.

Action: Chief Executive

- 5.3 The Board noted that the Department for Communities, in its capacity as the Landlord of the Agency's Regional Office, has indicated its willingness to renew the lease for another five years. A Legal Officer in the Departmental Solicitor's Office has been appointed to progress this matter on the Agency's behalf. Renewal of the lease will be subject to DfE and Department of Finance (DoF) approval of a business case, which will be presented to the Board in due course. In the meantime, this issue has been removed from the Corporate Risk Register.

Action: Director of Corporate Services

6. International Industrial Agencies Conference – Report Back

- 6.1 The Director of Employment Relations Services gave a presentation on the key points from the annual International Industrial Agencies Conference, which was held on 27–30 November 2023 in New Zealand.
- 6.2 It was noted that the 2024 conference will be hosted by South Africa. The island of Ireland may be invited to host the 2025 conference; this will be considered in the context of the development of the Agency's new Corporate Plan and in consultation with the Workplace Relations Commission.

7. Arms-Length Body Review of the Labour Relations Agency

- 7.1 The Chief Executive presented the report on the Arms-Length Body Review of the Labour Relations Agency (paper BP04-12/23), which was noted by the Board. The key findings had been presented to the Board by DoF's Business Consultancy Service at the Strategy Day on 25 October 2025.
- 7.2 The Board noted with pleasure the positive outcome and endorsement of the Agency's work. The Agency will publish the report in due course, once DfE's plans in this respect are clarified.

Action: Chief Executive

7.3 The Agency's proposed response to the Review's recommendations was approved by the Board. These will be progressed in the context of the Business Plan for 2024-25.

Action: Chief Executive

7.4 The Board agreed that, in order to respond effectively to the review's recommendations, and increasing workloads, a review should be commissioned of the structure and size of the Agency's Senior Leadership Team.

Action: Chair/Chief Executive

7.5 An outstanding issue from the Review concerns the continued relevance of the Agency's name. The views of stakeholders, staff and longer-serving Board members have been captured; those of recently appointed Board members will be surveyed. A summary of the various responses will then be presented to the Board for consideration in due course.

Action: Chief Executive

8. Building a Business Case for Good Jobs: The Links between Good Work and Innovation, Productivity and Employee Health/Wellbeing

8.1 The Chief Executive presented the 'Building a Business Case for Good Jobs: The Links between Good Work and Innovation, Productivity and Employee Health/Wellbeing' report (paper BP05-12/23). The key findings had been presented at the November 2023 Board meeting by the researchers from the University of Warwick.

8.2 The report was approved for publication, subject to a minor drafting change.

Action: Chief Executive

8.3 A dissemination strategy for the report will be developed.

Action: Chair/Chief Executive

9. Future of the Employment Relations Roundtable and NI Engagement Forum on Covid-19

9.1 The Chief Executive presented a paper on the Future of the Employment Relations Roundtable and NI Engagement Forum on Covid-19 report (paper BP06-12/23).

9.2 A proposal to merge the two groups and draft terms of reference for the new forum were approved by the Board, subject to consultation with key stakeholders. Membership of the new forum will also be discussed with them. An inaugural meeting will be arranged.

Action: Chair/Chief Executive

9.3 The Board noted the intention to organise an event to mark the contribution of members of the antecedent groups.

Action: Chair/Chief Executive

10. Finance and Personnel Committee – Report on Meeting held on 27 November 2023

10.1 The Committee Chair presented the report on the Finance and Personnel Committee meeting held on 27 November 2023 (paper BP07-12/23), which was noted by the Board.

10.2 It was agreed that a progress report on the Transformation Programme will be presented at a future Board meeting.

Action: Chief Executive

11. Audit and Risk Assurance Committee – Report on Meeting held on 11 December 2023

11.1 The Committee Chair presented the report on the Audit and Risk Assurance Committee meeting held on 11 December 2023 (paper BP08-12/23), which was noted by the Board. Staff were thanked for the quick turnaround of the report for the Board meeting.

11.2 The Board noted that the Committee has requested a presentation on holiday pay conciliation at its next meeting.

Action: Director of Employment Relations Services

11.3 It was noted that the Committee had considered the draft revised Board Practice and Standing Orders document. Further consideration is needed by the Committee on the handling of ‘conflicts of loyalty’; this will be progressed via correspondence ahead of the document being submitted for Board approval.

Action: Director of Corporate Services

12. Business Plan Performance Report for the Period Ended 30 November 2023

12.1 The Senior Leadership Team presented the Business Plan Performance Report for the Period Ended 30 November 2023 (paper BP09-12/23), which was noted by the Board.

12.2 The Board noted the successful conclusion of partnership work with the Independent Health Care Providers to develop an employment charter for the sector. This will be circulated to Board members.

Action: Director of Employment Relations Services

13. Management Accounts for the Period Ended 30 November 2023

13.1 The Interim Director of Corporate Services presented the Management Accounts for the Period Ended 30 November 2023 (paper BP10-12/23), which were noted by the Board.

13.2 The Board noted that negotiations to settle the liability for dilapidations on the Agency's former Head Office premises have concluded. The funding for the costs have been secured; formal DfE/DoF approval to settle at the agreed amount is awaited.

Action: Director of Corporate Services

14. Any Other Business

14.1 It was noted that the current appointments of the Chair and four Board members end on 30 April 2024. A request will be made to DfE for their second term appointments to be confirmed.

Action: Chief Executive

15. Date of Next Meeting

15.1 The next meeting of the Board will be on 24 January 2024 at 10.00am in James House. The draft agenda for the meeting (paper BP11-12/23) was noted by the Board.

Action: Executive Assistant