

MINUTES OF THE 493rd MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD
ON 20 MARCH 2024 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
Sarah Havlin
Kevin McCabe
Orla Sheils
Mark Spence (agenda items 1-7)
John Taylor
Lee Wilson

In Attendance: Don Leeson Chief Executive
Anne Dorbie Interim Director of Corporate Services
Virginia Aldana Boardroom Apprentice
Oliver Murray Executive Assistant
Diane Edgington Transformation Project Manager (item 7)

Apologies: None

This was a hybrid meeting with one Board member attending by videoconference.

Board members met 'in-camera', without non-Board members present, prior to the formal commencement of the meeting. The key points from this discussion are recorded at agenda item 1.

Declarations of Interest: No conflicts of interest were noted.

1. Chair's Opening Remarks

- 1.1 The Chair reported on the Board's in-camera discussion, which focused on the Chief Executive recruitment exercise.
- 1.2 The Chair briefed the Board on the outcome of Engagement Forum's meeting with the Minister for the Economy, which took place on 22 February 2024. This was the first of what are expected to be quarterly engagements between the Minister and the Forum. The inaugural meeting of the newly reconstituted Forum is being scheduled for April 2024. The Board noted that the Permanent Secretary has written to Forum members to outline how Department for the Economy intends to work with the Forum to co-design new employment legislation.

Action: Chair/Chief Executive

1.3 The Chair reported on his recent trip to Washington DC as part of the annual St Patrick's Day engagement events. While primarily attending in his capacity as Chair of the Institute of Directors in NI, this was also an opportunity to raise the profile of the work of the Agency.

1.4 The Board congratulated Lee Wilson on his appointment as Chair of the Audit and Risk Assurance Committee for another public body. It was agreed that this appointment does not conflict with Agency Board membership. This new appointment will be declared in the updated Register of Interests, which is currently being collated for publication on the Agency's website.

Action: Executive Assistant

1.5 The Board noted the planned phased return to work in April of the Director of Corporate Services following sick absence. The Interim Director of Corporate Services will remain in post throughout April 2024 to provide additional support while the substantive post holder is re-inducted back into the Agency.

2. Horizon Scanning for Opportunities and Risks

2.1 The Board noted that the Chair and Chief Executive attended the DfE Board meeting on 29 February 2024, which was hosted by the Agency. This opportunity was used to brief senior DfE officials on the work of the Agency and the risks posed by demand for holiday pay conciliation.

2.2 The Chief Executive reported that he anticipates receiving a response from DfE to the Agency's bid for additional resources for holiday pay conciliation by the end of April 2024.

Action: Chief Executive

2.3 In the meantime, contingency planning for managing holiday pay conciliation in the absence of sufficient additional resources will be discussed at a meeting with relevant senior managers in the Agency in early April 2024. Arrangements for handling the large volume of Tribunal cases submitted as part of a pensions dispute will also be discussed.

Action: Chief Executive/Director of Employment Relations Services

3. Minutes of Previous Board Meeting

3.1 Minutes of the Board meeting held on 21 February 2024 (paper BP01-03/24) 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 BP02-03/24), which was noted by the Board.

4.2 The Chief Executive reported on plans for penetration testing of the Agency's cyber security arrangements. The outcome will be reported to the next Board meeting.

Action: Director of Corporate Services

4.3 The Board noted that the 'Building a Business Case for Good Jobs' research report will be discussed with senior DfE officials at a meeting scheduled for 21 March 2024. The report will also be shared with the Engagement Forum before publication.

Action: Chief Executive

4.4 It was noted that a possible change in the Agency's name will be discussed at the June 2024 Board meeting. This will be informed by the outcome of surveys of Board and staff members and stakeholders; it was noted that a response to the survey from one Board member is outstanding and will be completed shortly.

Action: Chief Executive

4.5 A review of the Senior Leadership Team is currently underway. The results from this to be presented to next Board meeting.

Action: Chief Executive

4.6 The Board noted that the Director of Employment Relations Services will attend a meeting of the NI Local Government Association's (NILGA) Executive on 12 April 2024 to discuss their response to recommendations made as part of the Agency's Article 86 review of the sector's collective bargaining arrangements.

Action: Director of Employment Relations Services

5. Chief Executive's Report

5.1 The Chief Executive presented the report (paper BP03-03/24), which was noted by the Board.

5.2 The Chief Executive gave an update on the Agency's involvement in a number of industrial disputes.

5.3 The Board noted publication on 11 March 2024 of guidance developed in partnership with the Irish Congress of Trade Unions, and endorsed by Women in Business, aimed at preventing sexual harassment in the workplace. The launch featured a photograph with the Minister for the Economy.

5.4 The Chief Executive reported on attendance by Board and staff members at the Women in Business Awards gala dinner on 7 March 2024. Board members congratulated the Equity, Diversity and Inclusion Manager and staff on being finalists in the individual and corporate categories respectively in the 'Advancing Diversity' category.

5.5 The Board noted that the Agency's Investors in People Gold status is due for review, with a staff survey and interviews scheduled for May 2024. The outcome of the reaccreditation process will be reported to the Board in due course.

Action: Director of Corporate Services

5.6 It was also noted that the Agency's Customer Service Excellence annual surveillance audit is scheduled for early April 2024. The outcome of the audit will be reported to the Board in due course.

Action: Director of Corporate Services

5.7 The Board approved a proposal that the Agency becomes accredited by the Living Wage Foundation as a Living Wage Employer.

Action: Chief Executive

5.8 The Board noted that the Agency had been approached to sponsor an award. It was agreed that current sponsorship arrangements are sufficient to raise the Agency's profile and no further commitments would be appropriate at this stage.

6. Reflections on the Flexible Working Conference held on 14 March 2024 and Next Steps

6.1 Board members reflected on the recent conference to showcase good practice in respect of flexible working. It was agreed that the conference was a success. Board members thanked everyone involved in organising and delivering the event.

6.2 The Chief Executive reported that an evaluation report is being prepared, which will be shared with Board members in due course. The report will be published on the Agency's website, together with videos and photographs taken on the day and the presentation slide used by the conference speakers.

Action: Chief Executive

- 6.3 The Board agreed that, having successfully delivered conferences in each of the last two years, the Agency should now seek to hold annual conferences. It was noted that the forthcoming Good Employment Charter provides a wealth of material for topics for future conferences.

Action: Chief Executive

7. Transformation Programme Update

- 7.1 The Transformation Project Manager joined the meeting to brief the Board on progress in concluding the Transformation Programme (paper BP04-03/24).

- 7.2 The Board noted the work to date carried out by the Senior Management Team (SMT), which has focused on learning and development of new Employment Relations Managers. The intention now is to extend co-design to a wider cohort of staff. This will culminate in a staff conference in September, ahead of restructuring of the Employment Relations Services Directorate in October 2024. Progress will continue to be reported to the Board on a regular basis.

Action: Chief Executive/Director of Employment Relations Services

- 7.3 The Board thanked the Transformation Project Manager and SMT members for their work to date.

8. Audit and Risk Assurance Committee – Report on Meeting held on 11 March 2024

- 8.1 The Chair of the Audit and Risk Assurance Committee (ARAC) presented the report on the Committee meeting held on 11 March 2024 (paper BP05-03/24), which was noted by the Board.

- 8.2 The Board noted that the Holiday Pay Conciliation Project Manager had attended the Committee meeting for a detailed discussion of risks associated with this programme of work. Given the significance of the risks, the Committee will continue to monitor these for the duration of the project.

- 8.3 The Board noted that the strategy for the audit of the Agency's Annual Report and Accounts for 2023-24 has been agreed. Preliminary audit fieldwork in early March 2024 has identified no issues of concern. However, it was noted that the handling the dilapidations liability on the Agency's former Head Office premises will be subject to review in line with the requirements of the relevant international accounting standard (IAS 8).

Action: Director of Corporate Services

8.4 The Committee Chair reported the outcome of ARAC members' self-assessment using the National Audit Office's Audit and Risk Assurance Committee effectiveness tool. As a result, it has been agreed to include fraud reporting, customer complaints, and information requests made under the Freedom of Information Act as standing agenda items at Committee meetings.

8.5 Plans for the externally facilitated annual Risk Workshop were noted. All Board and Senior Management Team members will be invited to attend once the workshop has been scheduled. The workshop will inform development of the Agency's Corporate Risk Register for 2024-25, which will be presented to the June 2024 ARAC and Board meetings respectively.

Action: Executive Assistant/Director of Corporate Services

8.6 The Board noted the success of the Committee's recent training workshop.

9. Business Plan Performance Report for the Period Ended 29 February 2024

9.1 The Chief Executive presented Business Plan Performance Report for the Period Ended 29 February 2024 (paper BP06-03/24), which was noted by the Board.

10. Management Accounts for the Period Ended 29 February 2024

10.1 The Interim Director of Corporate Services presented the Management Accounts for the Period Ended 29 February 2024 (paper BP07-03/24), which was noted by the Board.

11. Any Other Business

11.1 There was no other business.

12. Date of Next Meeting

12.1 The draft agenda for the next Board meeting, which will be on 29 May 2024 in Derry/Londonderry, was noted (paper BP08-03/24). The meeting will be followed by engagement event with Regional Office staff and local stakeholders.

Action: Executive Assistant