

**MINUTES OF THE 495th MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD ON 26 June 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
John Taylor
Lee Wilson

In Attendance: Don Leeson Chief Executive
Anne Dorbie Interim Director of Corporate Services
Mark McAllister Director of Employment Relations Services
Virginia Aldana Boardroom Apprentice
Oliver Murray Executive Assistant
Keelin Kelly Communications Manager (agenda item 6)
Niamh McErlean Communications Student (agenda item 6)
Claire Bonner Morrow Communications (agenda item 6)
Jacinta Parkhill Morrow Communications (agenda item 6)

Apologies: None

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

Declarations of Interest: the Board noted interests by Clare Duffield in the discussion on holiday pay conciliation (paragraph 2.1) and by Geraldine Alexander and Sarah Havlin and in the discussion on opening a bank account for the Industrial Court (paragraph 5.4). None participated in the respective discussions.

1. Chair's Opening Remarks

- 1.1 The Board congratulated the Agency's Director of Employment Relations Services on his appointment as the Agency's Chief Executive, with effect from 1 September 2024.
- 1.2 The Board noted the Agency's attendance at the Workplace Relations Commission's (WRC) conference on 6 June 2024, in Dublin. This focused on research commissioned by WRC entitled, 'The Future of Work?' which will inform forthcoming development of the Agency's new Corporate Plan.

1.3 The Chair briefed the Board on discussions at the Engagement Forum meeting, which took place on 10 June 2024. The meeting included a presentation by the University of Warwick on research undertaken for the Agency on 'Building a Business Case for Good Jobs' and discussion of the Department for the Economy's (DfE) forthcoming consultation document on proposed new employment legislation. It was noted that DfE officials have accepted an invitation to attend the next Board meeting to brief members on the legislative proposals

Action: Chief Executive

1.4 The Board congratulated everyone involved in the event with the Minister of the Economy to launch the 'Building a Business Case for Good Jobs' research on 18 June, which got extensive newspaper and social media coverage. It was noted that publication of the research has had to be delayed because of restrictions caused by the General Election; it will now be published on 5 July 2024.

Action: Chief Executive

1.5 The Board noted that the Committee for the Economy has expressed an interest in the research. The Chief Executive is liaising with the Committee Clerk about the possibility of the Agency and the researchers attending a Committee meeting to discuss the research.

Action: Chief Executive

2. Horizon Scanning for Opportunities and Risks

2.1 The Director of Employment Relations Services provided an update on holiday pay conciliation. It was noted that the Agency will be meeting with the Interim President of the Tribunal on 29 July 2024 to discuss this and other matters of mutual interest.

3. Minutes of the Board Meeting held on 29 May 2024

3.1 Minutes of the Board meeting held on 29 May 2024 (paper BP01-06/24) were, subject to a minor correction, 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 BP02-06/24), which was noted by the Board.

- 4.2 The Board noted that the business case for the upgrade of the Agency's case management system will be presented to the next Board meeting for approval. In the meantime, the draft business case will be shared with DfE for comments.

Action: Director of Programme Delivery

- 4.3 The Board noted that the Business Plan Performance Report for the period ending 31 July 2024 will include the key performance indicator scorecards for first quarter of 2024-25.

Action: Chief Executive

- 4.4 The Chief Executive reported that discussions are taking place with DfE to address a discrepancy in the Partnership Agreement. Once resolved, the Agreement will be formally signed by the Agency and DfE.

Action: Chief Executive

5. Chief Executive's Report

- 5.1 The Chief Executive presented the report (paper BP03-06/24), which was noted by the Board.

- 5.2 The Chief Executive reported that, following last year's visit by senior governmental representatives from the Turks and Caicos Islands, the Agency has been asked to send a member of staff to train theirs in conciliation. This request is being considered.

Action: Chief Executive

- 5.3 The Board noted plans to jointly host, with CIPD NI and Mediation NI, a seminar on workplace mediation as part of a programme of satellite events connected to the Mediation Institute of Ireland's annual conference. The seminar will be on 16 October 2024, in Derry/Londonderry.

Action: Director of Employment Relations Services

- 5.4 The Board approved the opening by the Agency of a bank account on behalf of the Industrial Court. The account will be operated by the Agency's Finance Team, in line with controls in place for the Agency's main account and one for the Certification Officer.

- 5.5 The Director of Employment Relations Services gave an update on the Agency's involvement in a number of industrial disputes.

- 5.6 The Board noted positive feedback about the Agency received from the outgoing Deputy Secretary at DfE, and from the Tribunal President in respect of support provided for Judicial Mediation.

6. Renaming the Labour Relations Agency?

- 6.1 The Chair welcomed Morrows Communications and the Agency's Communications Team to the meeting.
- 6.2 The Board noted that the purpose of this agenda item was to consider the continuing relevance of the Agency's name, given that it is almost 50 years old. The discussion was informed by results of surveys of staff and Board members and stakeholders on this issue (paper BP04-06/24).
- 6.3 Morrows Communications briefed the Board on a process typically undertaken by organisations when changing their names; such process would normally take up to 18 months to complete. It was noted that primary legislation would be required to formally change the Agency's name, although a 'trading' name could be adopted.
- 6.4 The Board noted that it would be important that the Agency's name reflects its long term vision and purpose, which will be reviewed as part of the process of developing the new Corporate Plan, and conveys this to current and future employers and employees in Northern Ireland. Therefore, it was agreed to undertake in the autumn an audit of the Agency's current name and brand, including the use of focus groups, to inform a recommendation to change or not change.

Action: Chief Executive

7. Programme for Board Strategy Day

- 7.1 The Chief Executive presented the draft programme for the Board's annual Strategy Day, which will be held on 25 September 2024 in Malone House (paper BP05-06/24). The Board noted that the programme is being informed by discussions with an external provider about reviewing the Agency's key performance indicators as part a governance review and facilitating development of the new Corporate Plan. The outcome of these discussions and a final programme for the Strategy Day will be presented to the next Board meeting.
- 7.2 It was agreed to invite DfE's Permanent Secretary to the Strategy Day to meet the Board and discuss the Agency's operating environment to inform horizon scanning for the new Corporate Plan.

Action: Chief Executive

Action: Chief Executive

8. Audit and Risk Assurance Committee

Annual Report to the Board for 2023-24

- 8.1 The Chair of the Audit and Risk Assurance Committee (ARAC) presented the annual report on the Committee's work during 2023-24 (paper BP06-06/24), which was noted by the Board.
- 8.2 The Board noted that, attached to the Committee's report, is the Internal Audit opinion regarding the effectiveness of the Agency's governance arrangements. This confirms that the internal audits carried out during 2023-24 have provided 'satisfactory' assurance (the highest possible) for the Agency's system of governance, risk management and control.
- 8.3 The Committee Chair thanked ARAC members and staff for their support throughout the year.

Report on Meeting held on 10 June 2024

- 8.4 The Committee Chair presented the report on the ARAC meeting, which was held on 10 June 2024 (paper BP07-06/24). The report was noted by the Board.

9. Annual Report and Accounts for 2023-24

- 9.1 The Chief Executive presented the Agency's Annual Report and Accounts for 2023-24 and associated Report to those Charged with Governance from the NI Audit Office (NIAO) (paper BP08-06/24).
- 9.2 The Board noted that the NIAO recommends that the Comptroller and Auditor General (C&AG) certifies the Annual Report and Accounts without qualification.
- 9.3 The ARAC Chair reported that the NIAO's view of the accounting treatment of the Agency's occupation of James House has changed since the previous year. This change means that the Agency needs to revise the Financial Statements for 2023-24 and make a prior year adjustment for the impacted sections of the accounts. The Board noted that, while this change impacts the balance sheet, it does not affect the Agency's financial performance in 2023-24.

9.4 The Board approved Annual Report and Accounts for 2023-24, subject to the above change. A revised version of the Annual Report and Accounts will be circulated to Board members. Thereafter, the document will be signed by the Chief Executive and certified by the C&AG, and submitted to DfE for laying in the Assembly. It will then be published on the Agency's website.

Action: Chief Executive

9.5 The Board congratulated the Agency's staff on their achievements in 2023-24.

10. Corporate Risk Register for 2024-25

10.1 The Interim Director of Corporate Services presented the Corporate Risk Register for 2024-25 (paper BP09-06/24).

10.2 It was noted that development of the Risk Register had been informed by discussions at an externally-facilitated workshop involving Board members and senior managers on 16 May. It had then be reviewed by ARAC on 10 June 2024 for submission to the Board.

10.3 The Board approved the Corporate Risk Register for 2024-25.

10.4 The Register will be reviewed monthly by the Senior Leadership Team (SLT), and by ARAC at each committee meeting. Any risks escalated to 'extreme' will be reported to the Board at the earliest possible opportunity.

11. Business Plan Performance Report for the Period Ended 31 May 2024

11.1 The Board noted the Business Plan Performance Report for the period ended 31 May 2024 (paper BP10-06/24).

12. Management Accounts for the Period Ended 31 May 2024

12.1 The Interim Director of Corporate Services presented the Agency's budget for 2024-25 (paper BP11-06/24), which was noted by the Board.

12.2 The Board noted that the Management Accounts contained a new monthly expenditure profile for the year. Re-profiling was carried out because two large invoices had been received and paid earlier than anticipated in the original budget profile.

13. Any Other Business

13.1 The Chair thanked Board members for their cooperation in progressing the Board member appraisal process. The reports are being written-up for sign-off and submission to DfE.

Action: Chair

13.2 As this would be her last Board meeting, the Boardroom Apprentice reflected on her valuable learning experience and thanked the Agency for the tremendous support she had received. The Board noted with disappointment that the future of the Boardroom Apprentice programme is uncertain and consequently there will be no apprenticeships in 2024-25.

14. Review of the meeting

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

15. Date of Next Meeting

15.1 The draft agenda for the next Board meeting, which will be held on 28 August 2024 at Ulster University's Magee Campus in Derry/Londonderry, was noted (paper BP12-06/24).

Action: Executive Assistant