



Northern Ireland  
Assembly

**COMMITTEE FOR EMPLOYMENT AND LEARNING  
MINUTES OF PROCEEDINGS**

**WEDNESDAY, 13 JANUARY 2016**

**THE OPEN UNIVERSITY, BELFAST**

Present: Mr Robin Swann (Chairperson)

Mr Sydney Anderson MLA  
Mr Gerard Diver MLA  
Mr Alex Easton MLA  
Mr Phil Flanagan MLA  
Mr David Hilditch MLA  
Ms Anna Lo MLA  
Ms Bronwyn McGahan MLA  
Mr Fra McCann MLA

In Attendance: Mrs Cathie White (Assembly Clerk)  
Mr Vincent Gribbin (Assistant Assembly Clerk)  
Mr Johnny Lawless (Clerical Supervisor)  
Ms Briege Mullan (Clerical Officer)  
Ms Amy Barr (Legislative Studies & Practice Student)

Apologies: Mr Thomas Buchanan MLA (Deputy Chairperson)  
Ms Claire Sugden MLA

*10:04am The meeting opened in public session.*

**1. Apologies**

Apologies are detailed above.

**2. Chairperson's Business**

- The Chairperson welcomed Mr Gerard Diver MLA to the Committee.

- The Chairperson advised members that he and other members of the Committee met with representatives from the Bar Northern Ireland in relation to the Employment Bill on Tuesday 12 January 2016.

### **3. Minutes of the meeting held on 6 January 2016**

*Agreed:* The minutes of the meeting on 6 January 2016 were agreed.

### **4. Matters arising**

- The Committee noted a list of matters arising from the meeting on 6 January 2016.

### **5. Correspondence**

The Committee considered the following items of correspondence:

- Departmental response regarding redundancies in the Higher Education sector.

*Agreed:* The Committee agreed to note the response.

- Correspondence from Investment Strategy for Northern Ireland providing the Departmental Procurement Activity Report for December 2015.

*Agreed:* The Committee agreed to note the correspondence.

- Departmental correspondence requesting that the briefing session on Economic Inactivity is cancelled.

*Agreed:* The Committee agreed to note the correspondence and to cancel the briefing.

- Response from the Minister for Health, Social Services and Public Safety regarding the on-going Inquiry into Special Educational Need in Northern Ireland.

*Agreed:* The Committee agreed to note and include the response in the Committee Inquiry Report.

- Correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the Executive's Investment Strategy.

*Agreed:* The Committee agreed to note the correspondence.

## 6. Forward Work Programme

- The Committee noted the Forward Work Programme to 16 March 2016.

## 7. Employment Bill – Departmental Briefing

*10:06 am The Departmental officials joined the meeting.*

The Committee was briefed by Dr Alan Scott, Head of Employment Relations Policy and Legislation Branch, Mr John McKeown, Acting Assistant Director, Strategy, European & Employment Relations Division and Ms Margaret O'Hare, Employment Relations Policy and Legislation Branch.

The briefing was followed by a question and answer session.

*10:29 am Mr Sydney Anderson joined the meeting.*

*Agreed:* The Departmental officials agreed to take the views of the Minister as to when the Bill might be changed so that affirmative resolution is required for any regulations relating to deposits.

*Agreed:* The Departmental officials agreed to provide the Committee with a more detailed explanation of the table provided which sets out the statistical data on the number of successful claims and reasons why a number have not been paid the Tribunal awards.

*Agreed:* The Committee noted a written submission from the Bar Northern Ireland in relation to the Employment Bill.

*Agreed:* The Committee noted a response from the Law Centre Northern Ireland to queries raised during the briefing on 6 January 2016.

## 8. Employment Bill – Deliberation

The Committee considered the Clauses, Schedules of the Work and Families Bill, the key issues raised by Stakeholders that related to the Bill and the Department's response to the issues.

*10:40 am Ms Aoibhinn Treanor, Assembly Bill Clerk, joined the meeting.*

### Industrial Tribunals – Clause 1 to Clause 5

*Agreed:* The Departmental officials agreed to take the views of the Minister on the bringing forward of an amendment so that it is not possible in the future to introduce multiple tribunal deposits.

Fair Employment Tribunal – Clause 6 to Clause 9

*Agreed:* The Departmental officials agreed to take the views of the Minister on the bringing forward of an amendment so that it is not possible in the future to introduce multiple tribunal deposits.

Employment Judges – Clause 10 to Clause 11

No issues were raised.

*Agreed:* The Departmental officials agreed to provide the Committee with clarification of where in existing legislation it states that Industrial and Fair Employment Tribunals panel consist of three people.

Protected Disclosures – Clause 12 to Clause 16

No issues were raised.

*10:45 am Mr David Hilditch joined the meeting.*

Careers Guidance – Clause 17 and Apprenticeships – Clause 18

The Committee noted that the Department is bringing forward amendments, in respect of the Committee's request, to change "may" bring forward guidance to "shall" bring forward guidance.

Miscellaneous – Clause 19 to Clause 23

No issues were raised.

Supplementary – Clause 24 to Clause 26

No issues were raised.

Schedules 1, 2 and 3

No issues were raised.

The Committee considered a draft amendment to introduce a review after one year and after 3 years of the new early conciliation and neutral assessment processes outlined in Clause 4 and Clause 8.

*Agreed:* The Bill Clerk agreed to redraft the amendment in accordance with the Committee's views.

*11:08 am The Departmental officials left the meeting.*

## **9. Briefing from the Open University**

*11:08 am The representatives joined the meeting.*

The Chairperson declared his interest as a Graduate of The Open University.

The Committee was briefed by Mr John D'Arcy, Director, and Ms Janette Nhangaba, Widening Participation Manager.

The briefing was followed by a question and answer session.

*11:45 am The representatives left the meeting.*

## **10. Departmental Briefing - Departmental Restructuring**

*11:45 am The Officials joined the meeting.*

The Committee was briefed by Mr Derek Baker, Senior Responsible Owner and Chair of Programme Board, NICS Departmental Restructuring Programme, Mr Eugene Rooney, Senior Responsible Owner, Restructuring programme, Department for Economy Project and Mr Paul Brush, Project Manager, Restructuring programme, Department for Economy Project.

The briefing was followed by a question and answer session.

*12:24 pm Mr Sydney Anderson left the meeting.*

*12:40 pm The Officials left the meeting.*

## **11. Any other business**

The Committee considered correspondence from the Committee for the Office of the First Minister and deputy First Minister requesting views on the Departments Bill and Transfer of Functions Order.

The Committee agreed to respond to the Committee for the Office of the First Minister and deputy First Minister indicating the following:

- That it was concerned about responsibility for the Higher Education Sector being placed under the new Department of the Economy, Corporate Services Grade 3 Command.
- That it was concerned that the Further Education and Higher Education sectors were not being placed under the same Grade 3 Command.

- That there was a concern that the inclusion of Further Education and Higher Education in the Department of the Economy would place too much of an emphasis on employment and less on education.
- That it was concerned at the lack of engagement the Committee had on restructuring including no sight of the Transfer of Functions Order.

## **12. Date, time and place of next meeting**

The Committee noted that the next meeting should be held on Wednesday, 20 January 2016 at 10.00 am in Room 29, Parliament Buildings.

*12:43 pm The Chairperson adjourned the meeting.*

**Mr. Robin Swann MLA**  
**Chairperson, Committee for Employment & Learning**

**20 January 2016**