

## **Minutes of the Steering Board meeting for the UK NCP held on 16 May 2018**

**Date:** 16 May 2018 at 10:30am

**Venue:** Department for International Trade (DIT),  
3 Whitehall Place, London, SW1A 2AW.

### **Attendees:**

<b>Name</b>	<b>Organisation</b>
Lola Fadina (Chair of the UK NCP Steering Board)	Department for International Trade (DIT, Trade Policy)
Anna Bliss	Department for International Trade (DIT, Trade Policy)
David Tang (Minutes)	National Contact Point (NCP)
Esther Dixon	Department for International Trade (DIT)
John Evans	Trade Union Advisory Committee (TUAC)
Halina Ward	Unaffiliated member
Sarah Boardman	Foreign & Commonwealth Office (FCO)
Sanu de Lima	Department for Business, Energy and Industrial Strategy (BEIS)
Timothy Otty, QC	Non- Governmental Organisations (NGOs)
Edward Bickham	International Chamber of Commerce (ICC)
John Cox	Department for International Development (DFID)
Sarah Boardman	Foreign & Commonwealth Office (FCO)

### **Item 1: Welcome**

- 1.1 The Chair welcomed the Steering Board.
- 1.2 Apologies received from the Department for Work & Pensions (DWP) and the head of the UK National Contact Point (UK NCP).
- 1.3 The Chair introduced additional attendees to the board:
  - 1.3.1 Anna Bliss, Deputy Head of the Investment Team, within which the UK NCP is located, in the absence of the head of the UK NCP.
  - 1.3.2 Esther Dixon as the new member of the UK NCP team, starting from the end of May.

### **Item 2: Minutes of previous meeting**

- 2.2.1 Action point under para 4.2 of the previous meeting.

OECD reports showed that the UK NCP had handled 26 complaints in the 2011-12 period. 5 complaints were then progressed beyond the Initial Assessment stage for further examination. This figure did not include cases withdrawn by complainants at a later stage or, which had subsequently gone on to mediation. The data for the following years, from 2012 to 2016, showed a drop in the number of complaints received. OECD data for the period indicated a similar downturn in the number of cases received by other NCPs.

- 2.3 Action point under para 4.3 of the previous meeting.

The Chair of the UK NCP had responded to a letter from OECD Watch. The final draft had been shared with the Steering Board. As the original correspondence had been directed to the Chair of the UK NCP Steering Board, the response had also been provided by the Chair of the UK NCP Steering Board.

Following a request by the Steering Board, the Chair also agreed to review the process for publication of the minutes to enable members to provide comments on the draft minutes.

Action:

- The Chair to review the publication process for minutes and report back to the Steering Board with the findings.

2.4 Action point under para 6.2 of the previous meeting.

The UK NCP explained that the identities of the parties are always kept confidential until a case is accepted as a specific instance and progressed to the Initial Assessment stage. As the Steering Board has a review function, every effort was made to ensure that the UK NCP did not provide members with information which could potentially lead to a conflict of interest when providing advice and guidance to the UK NCP.

The Steering Board requested that in future the UK NCP should provide more information on what parts of the OECD Guidelines for Multinational Enterprises complaints were being submitted under and in relation to which business sectors. Where possible, case updates should also indicate the UK NCP's timetable of activity.

Action:

- The UK NCP to review the formatting and content of case update documentation.

2.5 Action point under 7.2 of the previous meeting.

This item was covered under item 5 of the meeting.

2.5 Action point under 8.3 of the previous meeting.

The UK NCP gave an update on the plans being made for the peer review. The Chair also informed the Steering Board that the new member of the UK NCP would be part of the team preparing for the peer review.

2.6 Action point under 8.4 of the previous meeting.

Prior to the meeting, the findings of the review and the response to it had been circulated to the Steering Board.

The review process itself had yielded a large amount of information. For ease of presentation and to limit duplication, the findings focused on all the relevant points made by those interviewed. A request was made for this explanation to be noted at the time of publication. There was a request to adjust some of the language of the responses noted in the document to better reflect which party was referring to the points made. The Steering Board also asked that the review be further discussed as an AoB item, with the comments of the Steering Board to be recorded.

Action:

- The UK NCP to publish the review findings on the DIT website once the requested changes had been made.

### **Item 3: Report on current caseload**

- 3.1 The representative for the NGO constituency recused himself for discussion of new cases received under this agenda item due to a possible conflict of interest. The UK NCP provided an update on its current caseload. The Steering Board also requested that the UK NCP consider in discussion with other NCPs the procedure for handling complaints involving more than one NCP. The Chair noted that the current co-operative and flexible approach had worked well and the OECD Guidelines also supported such co-operation. The UK NCP would consider recording the procedure for future cases.
- 3.2 The UK NCP also sought guidance from the Steering Board on the issue of accepting complaints made in a language other than English. Members of the Steering Board agreed that the principle of complainants having access to ‘remedy’ through the NCP complaints system is important and being able to submit complaints in a language of their choice is relevant to the principle of accessibility. However, they recognised that there are implications for the efficiency of NCP case handling. The Steering Board discussed several suggestions on how this could be handled. For the purposes of good governance, the Steering Board asked that any final UK NCP policy on the handling of non-English complaints be documented for future reference.

#### Action:

- The UK NCP to review the process for working with other NCPs on joint complaints.
- The UK NCP to record the procedural policy for handling complaints submitted in a language other than English and share with the Steering Board for comment and agreement.

### **Item 4: Update on outreach work**

- 4.1 The UK NCP was able to confirm 3 joint outreach events, the first of which will take place on 11 June 2018. The audience for all these events will be the members of the financial community.
- 4.2 The Chair explained that the intention will be for the new member of the team to focus on outreach work.

### **Item 5: Update on stakeholder engagement strategy**

- 5.1 The UK NCP gave a Power Point presentation to the Steering Board on its new engagement strategy.
- 5.2 The Steering Board noted the points made in the presentation and it also made several further suggestions. The Steering Board suggested that the engagement strategy should be clearer in its goals and desired outcomes. This will make it easier to measure the progress and achievements of the outreach strategy. It asked that their comments be considered and for a written engagement strategy to be provided for discussion at the next meeting. Offers had also been made from specific members of the board to introduce the UK NCP to contacts in industry associations and other business organisations.

#### Action:

- The UK NCP to provide a more detailed engagement strategy to the Steering Board for their comment.

### **Item 6: Any other business**

- 6.1 The Steering Board had requested additional time to discuss the agenda items mentioned in paragraph 2.3 and 2.6. This was not possible owing to time constraints. The items will instead be tabled for discussion at the next Steering Board meeting.
- 6.2 The date of the next Steering Board meetings is provisionally agreed for 25 July 2018.