

Minutes of the Meeting

UK National Contact Point (NCP) Steering Board (SB)

Date: 20 May 2015 at 10:30am

Venue: Department for Business, Innovation, and Skills (BIS),
Conference Centre, 1 Victoria Street, London SW1H 0ET.

Attendees:

Name	Organisation
Michael Williams (Chair)	Department for Business, Innovation & Skills (BIS)
Danish Chopra (Minutes)	National Contact Point (NCP)
Steven Murdoch	National Contact Point (NCP)
Liz Napier	National Contact Point (NCP)
Jeremy Carver	Independent
Lord Jordan	Trade Union Congress (TUC)
Tricia Feeney	Non- Government Organisations (NGOs)
Edward Bickham	International Chambers of Commerce (ICC)
Simon Phillips	UK Export Finance (UKEF)
Stephen Lowe	Foreign & Commonwealth Office (FCO)
Stewart Dee	UK Trade & Investment (UKTI)

Item 1: Apologies.

1.1 Apologies received from Karen Johnson (DFID) and Dan Leader (NGOs).

Item 2: Approval of Draft Minutes & Matters Arising.

2.1 The Minutes of the meeting held on 25 February 2015 were agreed.

Item 3: Update on NCP Cases.

3.1 UK NCP presented and spoke to the latest written report.

3.2 Board Members were asked to note a recommendation sent to them on 5th May in regard to a request for procedural review. The NCP reported that there had been no objections to the recommendation to reject the review request by the deadline of 5pm on the 19th May. Following a brief discussion, the Board agreed that the request was ineligible.

3.3 Board Members asked for an update on an action point from the February meeting, for the NCP to consider adding to the case report a column recording “reasons for rejection” where appropriate. The NCP said that after consideration, it had decided this was not practical because the format only permitted a very brief explanation and this was unlikely to be informative in most cases, the reason for rejection is usually “issue not substantiated”.

3.4 Following discussion at the last SB meeting on the use and enforcement of ‘*confidentiality agreements*’ during mediation it was agreed that this topic should be put on the agenda for the next meeting.

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Action: NCP to add to next agenda and prepare a short paper to inform discussion on the use & enforcement of 'confidentiality agreements' during the mediation process.

- 3.5 International Performance - 2015 is the 15th anniversary since the NCP system was set up. It was reported that reports into the performance and effectiveness of the NCP's were being prepared by the OECD and others.
- 3.6 A further case update will be presented to the next meeting in September.

Item 4: Promotion and awareness raising of the Guidelines.

- 4.1 UK NCP presented the latest written report covering the outreach programme in the last quarter.
- 4.2 The SB was pleased with the on-going work, particularly in supporting and mentoring other less well performing NCPs. The NCP explained that there was also strategic work being done with UK businesses in the financial sector and textile and garment sector to tie-in with the OECD's project research activities.
- 4.3 All members of the SB were invited to the joint IHRB & UK NCP annual workshop, taking place on 10 July, in BIS. The topic will cover the experiences and ideas about the role of "Human Rights within the ICT Sector and its relevance to the OECD Guidelines on MNEs".
- 4.4 The FCO reported that they had recently produced a joint report with the IHRB into the Human Rights and IT sector; this may help in the development of the workshop.

Action: The FCO will circulate a link to their report.

- 4.5 China - The UK NCP is taking part in an OECD led presentation to the Chinese Government in Beijing at the end of May.

Action: The Chair of the SB will provide a short report of his visit to the next meeting.

Item 5: Update on OECD WPRBC & Danish Peer Review.

- 5.1 OECD now has funding in place to take forward the project work on financial sector due diligence.
- 5.2 The OECD continues to cite UK NCP cases among best practice examples of how the Guidelines operate and how they should be used.
- 5.3 There was debate at the OECD regarding the challenges of improving the performance of some NCPs, this included; referral to the Investment Committee, improving peer reviews, mentoring by leading NCPs and better training.
- 5.4 The NCP had participated in a peer review of the Danish NCP, together with the Norwegian and German NCPs, in March. This was the first peer review using a new 'light touch' template agreed by the OECD Working Party on Responsible Business Conduct. The review team met a number of Danish businesses and civil society organisations (NGOs & Trade

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Unions). The report is still being finalised and would be presented to the OECD at the annual June meeting.

Item 6: Any Other Business.

- 6.1 There was a brief discussion on the joint paper “*Human Rights and the OECD Guidelines for Multinational Enterprises: Normative Innovations and Implementation Challenges*” produced by John Ruggie and Tamaryn Nelson of the Corporate Social Responsibility Initiative, Harvard Kennedy School. It was generally felt that there were a number of issues for NCPs in the paper but these were better discussed at the wider OECD NCP forum.

Action: Steering Board members are invited to send any comments they have on the paper directly to Professor Ruggie’s office.

- 6.2 Date of the next meeting is: Wednesday 16 September 2015 at 10:30am.