

MINUTES
24th Meeting of the Retail Forum
Via videoconference
16th September 2021
10.15am – 12 Noon (via video / tele conference)

Meeting held under Chatham House Rules

Chair: Damien English TD, Minister of State for Business, Employment and Retail.

Attendance and apologies at Appendix 1.

1. Welcome and Opening Comments

The Chairperson welcomed those in attendance and advised that the Government agreed Ireland's plan for the next and final phase of response to the COVID-19 pandemic *COVID-19: Reframing the Challenge, Continuing Our Recovery and Reconnecting*. The NSAI has recently updated their retail sector guidance.

The Chair updated members on Brexit developments regarding the recent UK Government announcements on the Northern Ireland Protocol grace periods. The UK Government also announced that it will postpone the introduction of further import controls on EU goods moving into Great Britain. The controls that were scheduled to commence on various dates in the coming months, beginning on 1 October, will now commence in 2022. The most significant elements of the UK announcement are that:

- The requirement for pre-notification of agri-food imports will be introduced on 1 January 2022 as opposed to 1 October 2021.
- The new requirements for Export Health Certificates, which were due to be introduced on 1 October 2021, will now be introduced on 1 July 2022.
- Phytosanitary Certificates and physical checks on SPS goods at Border Control Posts, due to be introduced on 1 January 2022 and 1 March 2022, will now be introduced on 1 July 2022.
- The requirement for Safety and Security declarations on imports will be introduced as of 1 July 2022 as opposed to 1 January 2022.

The Chair informed members that the UKCA (UK Conformity Assessed) marking came into effect on 1st January 2021, but businesses were advised that they could continue to use the CE marking until 1st January 2022. The UK Government announced (August 2021) an extension to the use of CE Mark in Great Britain until 1st January 2023. This extension means that all product sectors now have until 1st January 2023 to prepare to use the UKCA Mark, with the exception of Medical Devices (which will continue to be recognised until 30th June 2023).

2. Insurance Update

The Chair welcomed Mr Robert Troy TD, Minister of State for Trade Promotion, Digital and Company Regulation to provide an overview of the recent updates on Insurance reform.

Minister Troy thanked the Chair for the invitation and informed Forum members that last December the Government published the *Action Plan for Insurance Reform*.

Principal actions already achieved include: the adoption of new *Personal Injuries Guidelines*; the establishment of a new Office to Promote Competition in the Insurance Market within the Department of Finance; and the development of proposed legislation to reform the Personal Injuries Assessment Board (PIAB). The adoption of the new Personal Injuries Guidelines in April and their application by the Courts and PIAB represents a significant milestone in the Plan

Regarding insurance fraud, the Criminal Justice (Perjury and Related Offences) Act 2021 was signed into law on the 21st of June. This Act provides for considerable penalties against those who commit the offence of perjury and related offences. The establishment of the Insurance Fraud Coordination Office will ensure that allegations of insurance fraud received will be reviewed and recorded accurately on the Garda Síochána Pulse system.

The Department of Justice has completed a review of the current legislation. It is intended that changes to the Occupiers Liability Act 1995 in Quarter 3 2021 will strengthen waivers and notices to increase protections for consumers and businesses. In the coming months the Government will deliver an ambitious programme of legislative reform to strengthen the Competition and Consumer Protection Commission (CCPC).

Comments arising:

- Progress to date on Insurance reform was acknowledged
- Request for Civil Liability and Courts Act 2004 (section 30) to be updated
- Interpretation of the Occupiers Liability Act 1995
- Incompatibility of the Defamation Act 2009 with the European Convention on Human Rights
- Request for remit of PIAB to be extended similar to WRC.
- Request for Intervention with insurance companies to bring down the high insurance premiums for businesses.
- The availability of Insurance providers was highlighted (many UK providers have left the Irish market)
- Request for Legal costs to be addressed
- Request for rebalance in relation to Duty of Care

Minister Troy thanked members for their contributions and said that the concerns that do not fall under his remit, will be brought to the attention to Minister of Justice. Minister Troy advised that there is a unique opportunity to strengthen the role of PIAB.

The Chair thanked Minister Troy for attending the meeting.

3. Retail Sector Study

The Chair called Mr. Niall Savage, Audit Partner, KPMG to provide a presentation on the *Retail Sector Study*.

The presentation focused on the methodology and approach of the Retail Sector Study.

Comments arising:

- Members welcomed that the Study is underway and offered their support.
- The challenge in obtaining a concise data picture of online retail trends in Ireland due to the size of the market.

- Proposed that the consideration of skills demand and training, labour market shortages etc in relation to the development of the Retail Sector be included in the study.
- The importance of aligning the recommendations from the Report with Public Policy e.g. Night Time Economy, Town Centre First etc.
- Input from stakeholders through survey/interviews/workshops will be vital to inform the recommendations arising from the research.
- The public realm is an important element of the experiential nature of Retail.

The Chair thanked Mr. Savage for the presentation. The Chair advised he hopes that the Study would provide a full overview of the Retail Sector with recommendations that can be incorporated into Public Policy through a list of actions to future proof the Retail Sector.

Action

The presentation will be circulated to Forum members.

[Presentation circulated to Retail Forum members]

4. Update on Apprenticeship in Retail Supervision

The Chair called Dr. Oran Doherty, Retail Ireland Skillnet to provide an update on Apprenticeship in Retail Supervision.

During his presentation Dr. Doherty raised the following points

- The Apprenticeship in Retail Supervision is now in its third year.
- 115 new apprentices from over 40 retail organisations of every sub-sector and size of retail will commence the programme.
- The programme is being delivered online with the hope that classroom learning can return in November.
- All the apprentices are in full time employment.
- Upon successful completion, apprentices graduate with a level 6 qualification can access year 2 of the 3-year Retail Degree programme Retail Ireland Skillnet which is being delivered in conjunction with Letterkenny Institute of Technology.
- The apprenticeship programme is currently available in Dublin and Galway, and will soon be available in Cork.

Comments arising:

- Proposed that there needs to be increased awareness of the apprenticeship programme through eg advertising and/or video case study from a participant who completed the programme.
- Points also raised about labour shortages and commitment from the sector.

The Chair thanked Dr. Doherty for the presentation and advised members of the need for increased collaboration between the public and private sector to support in the attraction and retention of staff in the Retail Sector.

5. AOB

Comments arising:

- Minutes of the Retail Forum meeting held on 9 June were approved (minutes available on enterprise.gov.ie and also on gov.ie).
- Potential Labour force shortages at Christmas as a result in part due to the ongoing PUP payments.
- Difficulty in securing permits for non-EU workers.
- Proposal for the introduction of a retail voucher scheme, similar to the one recently announced in Northern Ireland.
- Request for arbitration in relation to Rent.
- A further Online Retail Scheme call sought.
- Status of NSAI guides for the Retail Sector after 22 October.

The Chair informed members that there will be a reduction in the Pandemic Unemployment Payment (PUP) this week, followed by more reductions in November, and February 2022. The Department of Social Protection are following up directly with PUP recipients to provide assistance to enable people to return to work.

In relation to work permits, the Chair advised members that an analysis is undertaken twice a year to identify any changes that may be required in relation to the critical skills list. The next updated list is due to be published in October 2021.

DETE advised members of jobsireland.ie and the chairperson added that Seetec and Turas Nua assist the Department of Social Protection in finding employment for those who are unemployed. The Chair also referred members to the Pathways to Work Strategy and asked members to contact the Retail secretariat if they need contacts in the Department of Social Protection.

The Chair recognised that there is still legacy issues in relation to commercial rents and that there has been no indications that any additional financial supports will be made available in the upcoming Budget.

Referring to the COVID-19 Online Retail Scheme, DETE advised members that there is currently an issue in relation to the execution of projects. DETE asked retail representative bodies to encourage their members, who were allocated funding, to complete their projects. They added that the value of additional calls under the scheme is dependent on project delivery.

In relation to the NSAI guidelines the Chair advised that clarification will be provided closer to the time. The Chair understands that the Sector needs clear commentary on the matter.

Appendix 1 – Attendance and Apologies List

| Company | First Name | Last Name | Title |
|---|-------------------|------------------|--|
| Chambers Ireland | James | Kiernan | Director of Relationship Management |
| Retail Ireland | Arnold | Dillon | Director |
| Retail Ireland | Shane | Flynn | Chairman |
| Retail Excellence | Duncan | Graham | Managing Director |
| ISME | Finbarr | Filan | |
| Dublin Town (BID) | Richard | Guiney | CEO |
| Irish Congress of Trade Unions (ICTU) | Gerry | Light | General Secretary (MANDATE) |
| Irish Pharmacy Union (IPU) | Jim | Curran | Director of Strategy and Operations |
| Retail Ireland Skillnet | Sean | Carlin | Network Manager |
| Small Firms Association | Stephen | Browne | SFA Senior Executive |
| Hardware Association Ireland | Martin | Markey | CEO |
| Musgrave | Edel | Clancy | Director of Communications & Corporate Affairs |
| Ecco Ireland | Keith | Rogers | Head of Retail |
| Fishers of Newtownmountkennedy (*will be late joining meeting) | Rebecca | Harrison | Director |
| Primark | Emma | Ormond | Head of Government Affairs |
| Technological University Dublin | Damian | O'Reilly | Senior Lecturer - Retail Management |
| D/Tourism, Culture, Arts, Gaeltacht, Sport and Media | Sean | O'Connor | Tourism Policy and Marketing Division |
| D/Taoiseach | Pamela | Malone | Economic Policy Unit |
| D/Taoiseach | Tanya | Ganly | Economic Policy Unit |
| D/Taoiseach | Gillian | Smyth | Economic Policy Unit |
| D/Further and Higher Education, Research, Innovation and Science | Stacey | Cannon | Further Education and Training |
| Waterford City and Co. Council (Local Government Management Agency Rep) | Michael | Quinn | Director of Service |

Presenters

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| Department of Enterprise, Trade and Employment | Robert | Troy TD | Minister of State for Trade Promotion, Digital & Company Regulation |
| KPMG | Niall | Savage | Retail and Manufacturing Lead |

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| Retail Ireland Skillnet (Ibec) | Dr Oran | Doherty | Programme Director for the Apprenticeship in Retail Supervision |
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Department of Enterprise, Trade and Employment (DETE)

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| D/Enterprise, Trade and Employment | Declan | Hughes | Assistant Secretary |
| D/Enterprise, Trade and Employment | Maedhbh | Cronin | Principal Officer, Retail and Sector Transformation Policy Unit |
| D/Enterprise, Trade and Employment | Sandra | Mullen | Acting AP, Retail and Sector Transformation Policy Unit |

Additional:

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| KPMG | Jamie | McGrath | |
| KPMG | Morgan | Crumish | |
| KPMG | Caoimhin | Kelly | |
| KPMG | Killian | O'Sullivan | |
| KPMG | William | Hynes | |

Apologies:

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| Local Enterprise Office Network | Thomas | McEvoy | Head of Enterprise, Louth County Council |
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