

PROBATIONS BOARD FOR NORTHERN IRELAND

**BOARD MEETING – FRIDAY 17 DECEMBER 2021**

**9.30 AM – VIA VIDEO CONFERENCE**

**440<sup>th</sup> MEETING – 36<sup>th</sup> OF THE TWELFTH TERM OF OFFICE**

ATTENDANCE

Mr D Ashford, Chair  
Mr N Bodger, Deputy Chair  
Dr J Byrne  
Mr K Donaghy  
Mr P Douglas  
Mrs J Gillespie  
Mr M Murray (Items 1 – 8)  
Mr G OhEara  
Mr D Wall (Items 6 – 13)

Ms D Gilchrist, 'Boardroom Apprentice'

OFFICIALS

Ms A Stewart, Chief Executive  
Ms G Montgomery, A/Director of Operations  
Dr G O'Hare, A/Director of Rehabilitation  
Mr P King, Head of Finance & Estates  
Mrs C Sweeney, Head of HR & OD  
Mrs L Maginnis, Deputy Head of Communications  
Mrs W Rodgers, Secretariat (Minutes)

**1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST**

The Board Chair welcomed everyone to the meeting and advised that this meeting was being held by video conferencing in accordance with the well-established practice.

There were no conflicts of interest advised. A quorum was confirmed.

**2. APOLOGIES FOR ABSENCE**

Apologies were recorded from Ms P Keenan, Member; Mr M Cox, Board Secretary and Ms G McGreevy, Head of Communications.

**3. MINUTES OF BOARD MEETING HELD ON THE 19 NOVEMBER 2021 (M010/21)**

The minutes of the Board Meeting held on Friday 19 November 2021 were approved as a true and accurate record of the meeting.

**4. MATTERS ARISING FROM THE MINUTES (PAPER 113/21)**

The Board Chair advised that all actions were completed and there were no other outstanding actions to note.

The Board noted the paper.

## **5. BOARD CHAIR'S UPDATE**

The Board Chair provided members with an update of his meetings and events attended since the last Board meeting.

Members were advised that the Board Chair attended a Chairs' Forum event on 24 November. There was a useful briefing entitled: '*Lessons for ALBs: Independent Review into the Circumstances of RQIA Board Member Resignations with focus on the Scheme of Delegation*'. On the same day, he attended a dinner for the Scottish Sheriffs, who were visiting to review the Substance Misuse Courts. It was regarded as a useful meeting with learning for both sides.

The meeting of the PPAG (Public Protection Advisory Group) involving PBNI and the Probation Service, Ireland, was postponed due to Covid related restrictions

The Board Chair attended a further briefing at the Chairs' Forum on the Audit Office Programme for 2022-23 and lessons learnt from audits during 20-21 and 21-22. Kieran Donnelly the C&AG was the keynote speaker.

The Board Chair thanked the three Committee Chairs and the Chief Executive for attending the annual Accountability Review with the Minister on 13 December 2021. The Minister was complimentary of the work of Probation and commented that the Organisation was performing well.

The Board Chair, Chief Executive and Board Secretary met to discuss the Scheme of Delegation and it is hoped that a paper will come to the February Board for approval and be in place for the incoming Board in March 2022.

The Board Chair attended both the online SLT Coffee Morning and the 'Townhall' event for staff. The Head of HR & OD provided a presentation on Hybrid working for staff, which was well received.

Members were advised that there will be a Special Board Meeting on 11 February 2022, after the ARAC meeting. The purpose of the meeting is to look at the financial implications of the budget.

He continues to have weekly meetings with the Chief Executive and Board Secretary and he had a useful introductory meeting with Mr King, Head of Finance & Estates.

The Board noted the update.

The Board Chair drew attention to the press release by the Department on the PBNI Consultation. This will be discussed later in the meeting.

The Board noted the Press Release.

## **6. CHIEF EXECUTIVE'S UPDATE**

The Chief Executive provided an update on meetings, visits and issues since the last Board meeting. She continues to meet with staff and stakeholders, which is shaping the path she will follow in the future for the Organisation. There were two events held this week, the SLT Coffee Morning when there was a raffle with staff donating money. There

was poll and a charity was selected by staff to donate the monies raised. 75 staff attended the second 'Townhall' event, which it is intended to be held each month. The Chief Executive thanked all staff for their participation and to those who had organised the events. Staff had contributed to the Prison Fellowship appeal and the Chief Executive thanked staff for their donations.

The Chief Executive advised that she had attended her first JNCC meeting with the Trade Union side. The Trade Unions are positive on the organisational approach to the handling of Covid and its approach to mental health, including the training of the mental health first aiders. The pay remit continues to be an issue but the Chief Executive and Head of HR & OD are working towards concluding this matter before the end of the financial year.

The Chief Executive provided members with a summary of the topics covered at the CEP bi-annual conference. As a follow up, she suggested engaging Nicola Carr to present to the Board on recruitment and retention of staff in Probation. She also attend a Five Nations meeting where strategic practices were shared.

She has had an introductory meeting with the Chief Parole Commissioner. Also, she and the A/Director of Rehabilitation met with Mr Armour, DG of Northern Ireland Prison Service (NIPS) to discuss the issues PBNI had inputted to the NIPS evaluation of Prisons 2020.

The Chief Executive, A/Director of Operations and AD Risk attended a SBNI workshop on dissemination of learning. The main point of discussion was the unacceptable pressure on staff resulting from attrition of social work staff and the risk this was creating for vulnerable people and organisations. As a result of the workshop, the Chief Executive and the A/Director of Operations will review the Risk Register to ensure it captures the risk this issue is presenting for PBNI also.

The A/Director of Rehabilitation continues to monitor guidance on Covid, with action being taken when required. Some remedial action has been taken in light of recent public health guidance but the Organisation remains in Phase 3.

The Organisation is awaiting confirmation of the draft budget but is working on the basis of a reducing budget. The Head of Finance & Estates will be discussing the budget with SLT and will be bringing a detailed paper to CRC on 28 January 2022 and then for consideration by the Board in February 2022.

The Chief Executive informed members that she had been made aware of a possible fraud in another organisation with which PBNI has dealings. At this stage, it does not appear that Probation's funding has been used fraudulently but investigations are continuing. In response to a question, members were advised that Probation was formally notified on 13 December 2021 but officials were made aware about three weeks earlier.

**Action: Chief Executive to advise members of the date first made aware of the issue. (Chief Executive)**

Members were advised that a SLT planning day has been scheduled for January 2022.

The Board noted the update.

## **7. CORRESPONDENCE (PAPER 115/21)**

There was one item of correspondence to note.

### **7.1 DoJ Correspondence to Justice Committee on the CJINI Report on Probation Services in Northern Ireland. Changes proposed for consultation.**

The Consultation is being undertaken as one of the recommendation from the CJINI Report on Probation Practice. It will be looking at the size, governance and structure of the Board. The DOJ has taken on board feedback from Probation but the Organisation will be formally responding to the consultation as well. A paper will be brought to the January Board for discussion and approval.

The Board noted the correspondence.

## **8. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 116/21)**

The Board Chair invited the Officials to summarise the Report for members.

The Head of Finance & Estates advised that there was little change from last month's report. He provided a summary of the current Outturn position as at 30 November 2021. The resource underspend is £463k with Capital underspend of £450k; the reasons for the underspend were explained to members.

The Head of Finance & Estates advised that he had received correspondence from the Department, which set out a 2% reduction and asked for comment. The Board Chair stated that the Special Board meeting on 11 February 2022 would look at the implications of a 2% cut. The SLT will be discussing 'what the very minimum that the Organisation can work with to delivery on its statutory duty'. A matter of concern is that the Department have been funding in year so this equates to an actual reduction of 4%. Mrs Gillespie commented that the discussion will be complex and that CRC will be discussing how the budget situation impacts on the Corporate Risk Register, including the organisation's risk appetite.

The Head of Finance & Estates provided an update on Estates, providing information on leases and purchase / sales of properties. There are two lease being prepared at present. The lease for Enniskillen, if it can be completed before the year-end, would use approximately £200k of the capital budget. Four other leases are being reviewed. An update was also provided on the current 'live' legal claims. There were six new cases received in November. There is a meeting with the CSO and it is hoped a number of cases will be closed. In response to a query from the Board Chair, the Head of Finance & Estates advised that there were no cases causing any particular concern.

The Head of HR & OD provided an update on HR & OD matters. Work is continuing on the 5 priorities from the Culture Action Plan as set out in the presented paper. At the 'Townhall' meeting, a poll was carried out with staff on Hybrid working and members were briefed on the feedback. SFO training will be led by L & D with the A/Director of Operations consulting with the unions on the detail. Work continues on pay modernisation with a wider conversation required with SLT. Alignment with the NICS JEGS framework is likely to have a negative impact on Probation. Therefore, another job evaluation is being sought.

Initiatives continue on well-being with the support of the Trade Unions.

The A/Director of Operations informed members that there are four risks recorded on the Strategic Risk Register. The ARM will meet on 11 January 2022 and at that meeting, there will be an in-depth review of the risks to ensure they are appropriate. The detail on the internal audits are set out in the paper. The A/Director of Rehabilitation provided an update on the external audit on 'Reducing Reoffending Amongst Adults'. Members were advised that a round-table discussion with the NIAO had taken place and this provided

the opportunity to communicate the complex issues relating to service users. Evidence, including relevant research, has been sent to the NIAO outlining the 'probation journey'.

The A/Director of Rehabilitation provided an update on key operational issues in respect of the Rehabilitation Directorate. She provided an update on the Covid Recovery Plan. Members were assured that Phase 3 of the Recovery Plan is flexible enough to adapt to change in public health guidance and local Area Managers can adapt to their particular local issues.

'ASPIRE' was awarded the 'Criminal Justice Innovation Award for 2021'. The Board Chair congratulated Officials on this achievement.

The A/Director of Operations provided an update on issues that fall under the Operations Directorate. The 'Promoting Positive Relationships Programme' has also been awarded RESPECT accreditation after a number of years of monitoring and evaluation of PBNI's 'Un-adjudicated Domestic Abuse Programme'. The Board Chair congratulated staff on these achievements. The A/Director of Rehabilitation provided an update on the Centre for Justice Innovation and on Problem Solving Justice, including Mental Health matters, as set out in the paper.

The A/Director of Operations informed the meeting that the focus continues to be on the 10 recommendations from the CJI (NI)'s inspection on Probation Practice to ensure there is an appropriate level of planning to address them effectively.

There were no serious further offences to report in this period.

In the Head of Communications absence, the Deputy Head of Communications provided details of internal and external communications, highlighting a number of events. The details are included in the paper provided. The second 'Townhall' event has taken place. The conclusions were used to inform the cultural strategy. The External Newsletter was issued in November and the latest addition of Probation News will be published today. The Chief Executive and Board Chair have recorded Christmas messages for staff.

The seminar scheduled for 19 January 2022 is currently being reviewed as to whether it will be a Webinar or round table. Dame Carol Black has confirmed her participation. It depends on her availability, the event maybe moved to February. A high-level conversation is being considered with Heads of within the Justice system.

The Board noted the paper.

## **9. BOARD SECRETARY'S BUSINESS**

### **9.1 Board Work Plan 2021/22 (Paper 117/21)**

The Board Chair advised that it was important to review the Work Plan to ensure that no business was missed with the end of this Board's tenure being February 2022.

The Board noted the paper.

### **9.2 Meeting Timetable (Paper 118/21)**

The Board Chair advised members that the timetable for meeting in 2022/23 was provisional until approved by the incoming Board in March 2022.

The Board noted the paper.

## 10. COMMITTEE CHAIR'S UPDATE - CORPORATE RESOURCES COMMITTEE (CRC)

Mrs Gillespie, Committee Chair, informed members that there had not been a meeting of the Committee since the last Board meeting and there were no emerging issues to bring to the Board's attention. The next Committee meeting is scheduled for 28 January 2022.

The Board noted the update.

### 10.1 Financial Outturn Report – October 2021 (Paper 119/21)

The Head of Finance & Estates provided a summary of the presented paper. He is forecasting a breakeven position at the year-end. A total easement of £250k has been declared in the January Monitoring Round return. There are two key issues on the contracted out services, IT and Estates, relating to the profile of expenditure. Prompt Payment Targets have improved significantly now that staffing issues have been resolved.

Following a full discussion, the Board noted the paper.

## 11. COMMITTEE CHAIR'S UPDATE – AUDIT & RISK ASSURANCE COMMITTEE (ARAC)

Mr Bodger, Committee Chair, informed members that there had not been a meeting of the Committee since the last Board meeting and there were no emerging issues to bring to the Board's attention. The next meeting will be held on 11 February 2022.

The Board noted the update.

## 12. COMMITTEE CHAIR'S UPDATE - POLICY AND PRACTICE COMMITTEE (PPC)

Mr Wall, Committee Chair, informed members that there had not been a meeting of the Committee since the last Board meeting and there were no emerging issues to bring to the Board's attention.

The Board noted the update.

## 13. OTHER BUSINESS

The Board Chair advised that there were no items for Any Other Business. He wished members and officials a Merry Christmas and a peaceful New Year.

The meeting ended at 11.00 am. The next Board meeting will be on 21 January 2022 via video conferencing.

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D Ashford QFSM  
Board Chair

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Date