

PROBATION BOARD FOR NORTHERN IRELAND
BOARD MEETING – FRIDAY 17 SEPTEMBER 2021

9.15 AM – WEBEX VIDEO CONFERENCE

437th MEETING – 33rd OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr D Ashford, Chair
Mr N Bodger, Deputy Chair
Dr J Byrne
Mr K Donaghy
Mrs J Gillespie
Mr M Murray
Mr G OhEara
Mr D Wall

Ms D Gilchrist Boardroom Apprentice

OFFICIALS

Mr H Hamill, Interim Chief Executive
Ms G Montgomery, A/Director of Operations
Ms C Sweeney, Head of HR & OD
Mr A MacKenzie, Interim Head of Finance
Mr M Cox, Board Secretary
Mrs W Rodgers, Secretariat (Minutes)

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting and thanked everyone for facilitating the earlier start. Meetings continue to be conducted via video conferencing.

The Board Chair welcomed Ms Gilchrist to her first meeting as the Boardroom Apprentice and he hoped that she would find it an interesting experience. Ms Keenan, Board Member, will be her 'buddy' and can answer any questions she may have.

The Board Chair advised that this is the last Board meeting for the Interim Chief Executive, Mr Hamill, who is retiring at the end of October 2021. He thanked Mr Hamill for his help and his support to the Board and wished him a long and healthy retirement.

The Board noted the passing of the recently retired Chief Executive's partner and will pass on its condolences.

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

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Dr T Donaldson, Mr P Douglas and Ms P Keenan, Members and Dr G O'Hare, A/Director of Rehabilitation.

3. MINUTES OF BOARD MEETING HELD ON THE 20 AUGUST 2021 (M07/21)

The minutes of the Board Meeting held on Friday 20 August 2021 were agreed as a true and accurate record of the meeting.

4. MATTERS ARISING FROM THE MINUTES (PAPER 81/21)

The Board Chair noted that there were no actions from the meeting held on 20 August 2021 and there were no other actions outstanding.

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.

The Board Chair advised that he had been conducting Board Members' annual appraisals and thanked members for their time. He advised that Secretariat would send out the forms with his comments for members to review and return.

The Committee Chairs' Working Group had a productive and useful meeting on 10 September 2021. To minimise demands on members and officials, it had been decided to hold the Board Development Day on 15 October 2021 after the Board meeting. A suitable venue is currently being sought.

The current financial situation will not be discussed at the Board Development Day but Mrs Gillespie may ask for it to be discussed at Board depending on the outcome of the October Monitoring Round.

The next Corporate Plan is on the horizon and work will be starting on this in the spring of next year.

The Board noted the update

6. INTERIM CHIEF EXECUTIVE'S UPDATE

The Board Chair invited the Interim Chief Executive to update the Board on developments since the last Board meeting.

The Interim Chief Executive wished to acknowledge the passing of Paula Gregg, Administration Officer, she was a much respected and valued colleague. The Board Chair also wished to note the Board's condolences.

The Interim Chief Executive advised that the bid for funding to cover identified pressures in the October Monitoring Round had not yet been confirmed. Members were advised that there was a potential for half of the pressures to be paid in the October Monitoring Round with the balance being provided in the January Monitoring Round. The Interim Head of Finance & Estates advised members on the easements identified in-year.

The CJI (NI) have advised that they will be carrying out a follow up review in 2022/23. The Interim Chief Executive informed that he had not seen the TORs but the Board will be kept updated on progress. The Justice Committee received an update on the CJI (NI) recommendations / action plan at its last meeting and no feedback had been received.

The first meeting of the 'Alderwood' Redevelopment Project Board was held with the Interim Chief Executive taking on the role of Senior Responsible Officer (SRO). That role will pass to the incoming Chief Executive.

The appointment of the Head of Finance & Estates is in progress. Members were advised that the Interim Chief Executive had met the incoming Chief Executive on two occasions by way of a hand over and he has provided as full a brief as possible. The incoming Chief Executive will spend her first week meeting with senior managers and visiting offices.

The Board noted the update.

7. CORRESPONDENCE (PAPER 82/21)

There was one item of correspondence to note.

7.1 Letter received by the Interim Chief Executive from Tomas Wilkinson, Director NIAO, on Reducing Re-offending Amongst Adults

The Interim Chief Executive explained that there had been a delay in him receiving the letter from the NIAO. He advised that he had spoken with Mr Ronnie Armour of NIPS about the TORs. The A/Director of Rehabilitation will be the SRO with the A/Director of Operations assisting. He took members through the expected timeline of the audit. Discussion ensued on joint working relationships with stakeholders and the voluntary sector as well as with the Department of Health. The importance of looking at qualitative data as well as quantitative was agreed, particularly in respect of Problem Solving Justice Initiatives. The Board Chair stated that he welcomed sight of the TORs and suggested that case studies could be interpreted as quantitative.

The Board noted the correspondence

8. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 83/21)

The Board Chair invited the Executive Team to take members through the Report.

The A/Director of Operations informed members that there had been one Serious Further Offence (SFO) to report since the paper had been circulated. There is limited detail currently but she is working through the internal process.

The A/Director of Operations provided an update on the Covid arrangements for the Organisation, as laid out in the paper. The Organisation moved to phase 3 of the Recovery Plan in September and is working towards Phase 4, taking into account learning through the various phases. The Organisation continues to follow Public Health guidance. Members were advised that when the 'work from home where possible' guidance is removed, the Organisation will move to a 3/2 split of working in the office and remotely while ensuring that service users' needs are being met. Staff who wish to work in the office more than the suggested 3/2 split will be accommodated.

Details of Communications and Engagement activity were set out in the paper. Members noted that Probation are currently responding to three consultations.

The Head of HR & OD provided an update on HR matters and attendance levels as laid out in the paper. Members were advised that 22 probation posts have been filled, with 11 vacancies remaining to be filled. Recruitment of social workers continues to be challenging with all organisations who employ them having the same challenges.

Members discussed the issues around recruiting social workers and that universities needed to provide more places for students. The Head of HR & OD provided information on initiatives she was undertaking to attract social workers to Probation, which includes taking five students starting this year. The Interim Chief Executive commented that, in his opinion, if the pay structure was modernised then more people would be attracted to PBNI. A member expressed concern on delivering a service when there are vacancies to fill. It was agreed that the CRC would discuss staff retention at its next meeting.

Action: CRC to discuss staff retention (CRC)

The pay remit for senior staff had been returned from DOJ with queries. PBNI therefore sought legal advice to include in a revised submission which will be sent to the DoJ. It was noted that the senior pay scales had 27 points and therefore should be included in a pay modernisation programme.

Head of HR & OD reported that there had been no developments on the NILGOSC legal challenge.

The Culture Survey Workshops have been completed and the Head of HR & OD is collating the information, which she will share with Management and the Trade Union side.

Work on Wellbeing continues as set out in appendix 2.

The Head of HR & OD advised members that there had been a number of appointments to Learning and Organisational Development (L&OD)

Internal staff had been successful in being appointed to post of L&OD Manager and to the post of Senior Probation Trainer. An external person had been appointed to the post of L&OD Business Partner. Two further Probation Trainer roles were yet to be filled.

Absence continues below target at 5.7% with lost productivity sitting at £53k. 90% of staff have had no absence.

The Board Chair congratulated the Head of HR & OD on getting up to speed so quickly with HR, the Culture Survey and absences. It was noted that the long-term sick related to a small number of staff. There were currently no cases of Covid related illnesses. The Head of HR & OD advised that there would be an audit on absence shortly.

The Interim Head of Finance & Estates provided an update on Estates and Business Cases as laid out in the paper. He informed members that the Board Chair and Board Secretary had signed the contract for the Antrim Road premises and it was due to complete today. He summarised the work currently being carried out on the Estate.

The Board noted the paper.

9. BOARD SECRETARY'S BUSINESS

9.1 Board Secretary's Update

The Board Secretary drew members' attention to the change of meeting dates in February 2022. This was to facilitate the Board coming to the end of its extended tenure. The intention is to ensure all business is completed by 28 February 2022. The Members were advised of the dates and amended diary invitations have been sent.

The Board noted the update.

9.2 Board Work Plan 2021/22 (Paper 84/21)

The Board Secretary advised that the Work Plan has been revised to take account of the Board's tenure being extended to the end of February 2022. It was important to ensure that all work is completed and all minutes signed before the end of this Board's tenure.

The Board noted the paper.

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

Mr Bodger, Committee Chair, provided the meeting with a summary of the ARAC meeting held on 3 September 2021.

The Annual Self-Assessment will be carried out as last year with Committee Members completing the form and returning it to the Board Secretary. The Report to Those Charged with Governance had no changes from the draft, previously reviewed. It was confirmed that there were no findings so no response was required. It was noted that on page 5 of the Report, the NILGOSC legal challenge is not shown as a liability as it is currently before the courts.

All planned audits for 2021/22 year have been completed, as scheduled. There are four audits scheduled for this financial year. The Case Management System follow up audit had been completed with a 'satisfactory' assurance. The longstanding 'limited' assurance has now been removed. The Committee Chair expressed the Committee's appreciation to Mr Hamill, the project SRO, for completing the project successfully.

The Committee reviewed the Q1 Strategic Risk Register and agreed to recommend approval to the Board. The Audit Control Log had one priority 2 recommendation, which related to Non-current Assets; the work on this was delayed due to Covid, but has now started. There were no suspected or actual incidents of fraud or losses reported.

It was the Interim Chief Executive last ARAC meeting before his retirement. The Committee Chair thanked him for his support and wished him good wishes.

The Board noted the update.

10.1 Q1 Strategic Risk Register (SRR) 2021/22 (Paper 85/21)

The ARAC reviewed the SRR at its meeting on 3 September 2021. There were 2 significant changes. Risk 3 has been transferred to the Operational Risk Register. This is due to the legislation on the supervision of licences for TROs coming in to effect on 6 September 2021. Risk 4 now becomes Risk 3, pay issues. The wording has been significantly amended to give greater currency to the risk associated with the delay in resolving the pay issues. The Committee had agreed to recommend approval of the Q1 SRR to the Board.

The Board approved the Q1 SRR.

10.2 Internal Audit Reports (Paper 86/21)

The Board noted the audit on the Case Management System had received a 'satisfactory' assurance on completion of a follow up audit.

The Board noted the report.

10.3 The Report to Those Charged with Governance (Paper 87/21)

The Board noted the Report and that there were no findings requiring a response. The Board Chair congratulated the previous Head of Finance and all of the Management Team on achieving the excellent report.

The Board noted the Report.

11. 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 meeting of the Committee is 22 October 2021.

The Board noted the update.

11.1 Financial Outturn – July 2021 (Paper 72/21)

The Interim Head of Finance & Estates provided a summary of the presented paper. The overall resource underspend to date is £18k (0.2%). The forecasted pressure of £650k remains but a bid has been submitted in the October Monitoring Round. The 'Letter of Comfort' received from the Department states that the Department will seek to fund pressures later in the financial year from easements elsewhere in the Department. The profit from the sale of Antrim Road and Crawford Square can be retained but Corporation Tax has to be paid. There are no pressures in the Capital budget to date. There has been no update on Probation's VAT status, members noted that the reclaimed VAT could save approximately £400k per annum. Performance on Prompt Payment targets have improved and Probation is sitting above both the DOJ and NICS percentages.

The Board noted the paper.

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 next meeting of the Committee is 29 October 2021. Mr Wall wished to register his and the Committee's congratulations to staff on the annual accounts being unqualified and the Report to Those Charged with Governance being an excellent report.

The Board noted the update.

13. OTHER BUSINESS

The Board Chair advised that the Board Development Day will be incorporated into the October Board meeting on 15 October 2021. A venue is to be confirmed and details will follow.

D Ashford QFSM
Board Chair

Date