

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 19 NOVEMBER 2021

9.30 AM – VIA VIDEO CONFERENCE

439th MEETING – 35th OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr D Ashford, Chair
Mr N Bodger, Deputy Chair
Dr J Byrne
Mr K Donaghy
Dr T Donaldson (Item 1)
Mr P Douglas
Mrs J Gillespie
Ms P Keenan
Mr M Murray
Mr G OhEara
Mr D Wall

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
Ms G McGreevy, Head of Communications
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 advised that this meeting was being held by video conferencing in accordance with the well-established practice. He also welcomed the Mr Paul King, newly appointed Head of Finance & Estates, to his first Board meeting.

The Board Chair informed members that this was Dr Donaldson's final meeting as a Board Member and thanked her for her input and the time she had given to the Board. He wished her well in the future. Dr Donaldson thanked the Board Chair and colleagues and in particular thanked Mr Bodger as Chair of the ARAC. She wished the Chief Executive and her team well for the future and advised that it had been a privilege to serve as a Board Member. Dr Donaldson then left the meeting.

The Board Chair advised members that there were some changes to the order of business. He also reminded members there will be a closed session at the end of the meeting.

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

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mrs C Sweeney, Head of HR & OD

3. MINUTES OF BOARD MEETING HELD ON THE 15 OCTOBER 2021 (M09/21)

The minutes of the Board Meeting held on Friday 15 October 2021 were approved as a true and accurate record of the meeting.

4. MATTERS ARISING FROM THE MINUTES (PAPER 97/21)

The Board Chair advised that he will follow up on action 1 and this should now be regarded as completed. 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.

He thanked members for attending the Board Development Day at the Crumlin Road Gaol, commenting that it had been a useful exercise.

He continues to have weekly meetings with the Chief Executive and Board Secretary and he had a useful introductory meeting with Mr King.

The Board Chair attended both the CRC and PPC in an ex-officio capacity. He provided information on a number of meetings and visits to offices carried out since the last meeting. He advised members that the Lord Mayor had visited Headquarters and she provided ideas on how she might be able to help support the work of PBNI.

The Annual Accountability Meeting with the Minister of Justice is scheduled for 13 December 2021. The Board Chair, the three Committee Chairs and the Chief Executive will be attending. Members were informed that the structure and size of the Board will be discussed later in the agenda.

The Board Chair informed that he would be discussing the scheme of delegation and Board with the Board Secretary and Chief Executive. They will report back to the Board in due course.

The Board noted the update

6. CHIEF EXECUTIVE'S UPDATE

The Chief Executive provided an update on meetings and visits she had attended since the last Board meeting. She continues to visit offices and meet with staff. She stated how impressed she was with the enthusiasm of the staff. The Trade Union Side continues to engage on the Culture Action Plan and provided positive feedback at a special JNCC engagement event on the Plan.

The Chief Executive advised that she had met and was interviewed by Service Users in Portadown. They reflected on the delivery of service to them. It was a positive engagement

and as a result the A/Director of Operations and Deputy Head of Communications will work on a plan to progress points raised.

She continues to engage with stakeholders. She met with Ronnie Armour and Jacqui Durkin and had an introduction meeting with Bernie McNally of the Safeguarding Board for Northern Ireland.

The Chief Executive, the A/Director of Operations and AD Prisons met with the Minister of Justice to discuss a recall case. The Chief Executive advised that she is in contact with the Deputy Chief Constable to review the process of sharing information between PBNI and PSNI. That contact did not refer to any specific case. The Public Protection Advisory Group meeting is scheduled for 26 November. Both Ministers of Justice are due to attend. The Chief Executive has been in contact with her counterpart in the Probation Service, Ireland, with some interesting ideas coming out of their conversations. Members were advised that the Chief Executive would be attending a Central European Probation (CEP) event week commencing 22 November 2021.

Work continues on the issue of the shortage of qualified social workers and there has been a meeting with the Director of the Health and Social Care Board as part of the Social Work Leaders Network on Pay Modernisation which is key in taking PBNI forward as the employer of choice. Budget constraints will play a part in this.

Preparation work is being taken forward for the NIAO inspection on Adult Reoffending by the A/Director of Rehabilitation. The terms of reference have not been agreed yet. Finally, the Permanent Secretary has provided early notice of a Covid 19 inquiry. PBNI is in a good position to provide evidence of the work done, if required.

The Board noted the update.

7. CORRESPONDENCE (PAPER 98/21)

There were six items of correspondence to note.

- 7.1 Letter to Christine Collins, RQIA, on PBNI's response to the RQIA Review of Services for Vulnerable Persons Detained in Northern Ireland Prisons
- 7.2 Letter to the Department of Justice on the proposed review of the PBNI structure, governance and size.
- 7.3 Response sent to Ronnie Armour on the Prisons 2020 Evaluation
- 7.4 Letter received from Dr J Harrison Project 'Solus'; Commencement of TRO Delivery Model
- 7.5 Letter to Christine Darragh - response to the Budget 2022-25 Information Gathering Process
- 7.6 Draft Consultation on review of PBNI Status and Governance (98-7/21)

The Members were provided with a summary of each item of correspondence with information being provided to 7.2 on the proposed structure of the Board.

The Board noted the correspondence.

8. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 99/21)

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

The Head of Finance & Estates provided a summary of the current Outturn position as at 31 October 2021. The resource underspend is £413k with Capital underspend of £450k, reasons for the underspend were explained to members. PBNI received additional funding of £325k in the October Monitoring Round. The January Monitoring return has been submitted to the DOJ. The Head of Finance & Estates advised of the scenario planning of 2%, 4% and 8% year on year reduction. He advised that he is waiting to be advised if a 3 year settlement would be agreed. A paper is on the agenda to seek initial view from members to inform on further considerations.

The Head of Finance & Estates provided an update on Estates, providing information on leases and purchase / sales of properties. An update was also provided on the current live legal claims. Some concern was voiced on the number of Judicial Review claims. Members were advised that PBNI were not the single respondent on many of the cases. No new legal cases were received in the month of October.

The Chief Executive provided an update on HR matters. Of the 45 suggestions made during the Culture workshops, 5 have been prioritized for the Culture Action Plan, as set out in the paper. Work continues on developing ways to modernise pay for NNC and SCOGG with collaborative meetings between Management and Trade Unions. Following a question from the Board Chair on the Mobility Policy, the A/Director of Operations provided detail on how the Policy works and the perceived issues as seen by staff. She commented that it was important to strike a balance. Sickness absence statistics were reviewed, and the Chief Executive advised that she was satisfied that there are robust procedures in place to manage absence / sickness.

The A/Director of Rehabilitation informed members of the internal audits that are in process and those that are scheduled as set out in the paper. The Acting Directors of Operations and Rehabilitation, provided an update on external audits and inspections, as set out in the presented paper. The Board Chair suggested that a letter be sent to the Justice Committee on the NIAO audit on the Reducing Reoffending amongst Adults should include participants outside of the Justice System. He suggested writing to the Justice Committee on this matter.

The A/Director of Rehabilitation provided an update on key operational issues that fall under the Rehabilitation Directorate. She provided an update on the Covid Recovery Plan. Members were advised that following Judge Marrinan's review on Hate Crime, PBNI are working with partners on recommendations made in the Report. Updates were also given on the Domestic / Sexual Violence, the INSPIRE model and Problem Solving Justice. Mr Bodger advised that there is a University of Ulster evaluation of social care, which focused on the economic impact, may be useful background information.

The A/Director of Operations provided an update on issues that fall under the Operations Directorate. Members were informed that there had been three Serious Further Offences to report since the last Board Meeting. She provided an outline of the offences. An update on IT was provided on the 'Causeway' project.

The Head of Communications provided details of internal and external communications. The paper sets out the scale of the communications that have taken place with a particular focus on social media. Members were advised that 'Probation News' is published on Decision Time for members' information. There was discussion on what information members would be interested in receiving.

The Head of Communications advised that there have been four data incidents recorded since the last Board Meeting. Three incidents were low level and one met the threshold

for reporting to the ICO. Members were informed of the circumstances of that incident. It was noted that there are risks when working remotely but learning points can inform what training is required to supplement the mandatory training already in place.

Action: Team Brief to be made available to Board Members (Head of Communications)

Attention was drawn to scheduled events for November and December 2021. It was also noted that planning is underway to prepare for possible budget reductions over the three-year period.

The Board noted the paper.

9. BOARD SECRETARY'S BUSINESS

9.1 Board Work Plan 2021/22 (Paper 100/21)

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, including all minutes being signed, before the end of this Board's tenure in February 2022.

The Board noted the paper.

9.2 Quorum Paper (Paper 101/21)

The Board Secretary provided a paper on the quorum for Board Meetings. As the number of members on the Board will reduce to 10 after the 30 November 2021, he asked the Board to approve reducing the quorum to five members. This figure is half the total number of members and is therefore compatible with the approach of the Standing Orders. This proposal will last until the new Board is appointed to post on 1 March 2022.

The Board approved the change in the size of the quorum.

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

Mrs Gillespie, Committee Chair, provided a summary of the Committee meeting held on 22 October 2021. The Chief Executive was welcomed to her first CRC meeting. The key issues discussed were finance, recruitment costs, pay modernisation and job evaluation. The Head of HR & OD informed that she was going to track the latest new starts on their journey through Probation to provide information on recruiting and retaining staff. Mrs Gillespie has asked that the Board be kept apprised on this. Pay modernisation is an increasingly urgent issue. The projected finance pressure had not materialised as a bid for £325k in the October Monitoring Round had been granted. The key issue is not the funding in year but in the future. Work on job evaluation was noted around the Culture Action Plan. Staff turnover currently is high at 11.4%, which means exit interviews are an important element in retaining staff. The Head of IT provided a comprehensive update on IT. Mrs Gillespie noted that many of the items discussed at the Committee are agenda items at this meeting.

The Board noted the update.

10.1 Financial Outturn Report – October 2021 (Paper 102/21)

The Head of Finance & Estates provided a summary of the presented paper. It was noted that the year to date underspend was £413k and the Head of Finance

& Estates provided background into this. The pressure of £650k has been removed from the forecast due to £325k being received from the October Monitoring Round and other factors. The total easement of £207k has been declared in the January Monitoring submission. There are no concerns on the Capital spend. Work has recommenced on PBNI's VAT status. The change of status could benefit PBNI to approximately £400k per annum. Prompt Payment Targets have declined slightly.

10.2 Pay Remit (Paper 103/21)

The Head of Finance & Estates took members through the presented paper advising that the CRC had discussed the paper at its meeting on 22 October 2021. The administrative grades' pay remit has been approved by the DOJ with the SLT and Probation grades outstanding. Revalorisation and progression are set out in the paper. NIPSA are content to proceed with NAPO still to respond formally. The cost and affordability are also laid out in the paper. The recommendation is, with the Trade Union side's agreement, to submit separate remits for both years. A member asked if the current inflation level would affect the pay remit. The Head of Finance & Estates stated that there was no indication that inflation will be driven up.

10.3 Implications of Budget (Paper 104/21)

The Head of Finance & Estates provided a summary of the presented paper. The paper sets out the overarching principles and assumptions for the possible budget decreases of 2%, 4%, 8% across the three year period. It was noted that there had been significant work done to meet budgetary reductions in previous years. The strategic planning framework is set out for a robust model for a three-year cycle instead of a one year. The Members were provided with a summary on pay modernisation, inflation, Organisational Risk, staffing, Voluntary Community Sector Grant and Estates. The benefit of good technology, looking at potential other funding streams, programmes and the equality impact assessment were all highlighted. Following the comprehensive update, Board Members were asked for their views on how to close the potential gap.

Among the comments made were; the importance of being sensitive to the funding to the Community and Voluntary Sector. It is agreed that it is helpful to have a framework for decision making around PBNI'S overarching values and principles and importance of protecting the front line. It was agreed that it is also important to ensure support services are protected to a sufficient degree to ensure delivery of core business. The Estates model is currently based on people working at their desks. Recent experience questions whether that is the appropriate model going forward. It was suggested that working with other partners to create 'hubs' may be a possibility. Such an approach would reduce the size and cost of the Estate. The Chief Executive advised that it would be helpful to establish contact with DOF Properties Division and the DOJ to understand the context with the wider NICS on estates. Hubs are of interest although PBNI would not want to move away from being based in communities. Such a change requires further work on the suitability of the move to Alderwood, including the availability of public transport, the location and other pertinent factors.

The Board Chair commented that the financial projections are stark. He asked for an impact on service delivery.

There was discussion on 'Peace' funding for Extern. A member advised that this is an excellent funding stream. The Acting Directors commented that if staff

numbers reduced and caseload increases, the potential outcome would be waiting lists, reduced standards and reduced level of contact, which could result in risks.

The question was asked at what point would PBNI not be able to meet its statutory duties? It was discussed how to highlight the issue of service delivery to the Justice Committee, it was important to make clear that persistent cost reductions was not sustainable if service was to be maintained at the requisite level.

A member asked when the budget would be known. Starting the financial year without knowing the budget is a significant risk. The Chief Executive advised that at this stage she could not provide a timeframe. The DOJ are going out to consultation. The main issue for PBNI is that 80% of the budget is on staff costs.

Following a full discussion, the Board noted the paper.

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

Mr Bodger, Committee Chair, provide the Board with a summary of the Committee meeting held on 5 November 2021 when Chief Executive and Head of Finance & Estates were welcomed to their first ARAC meeting. The ARAC Annual Self-Assessment had been completed with no contentious issues raised. The Head of Internal Audit provided an update on the Internal Audit Strategy. The Committee was advised that all audits were scheduled to be completed on time. The A/Director of Operations provided an update on the CJI(NI) Action Plan, the Committee agreed that this could be removed from the Committee's agenda going forward as the Justice Committee had received the report as requested. The Head of HR & OD provided the Committee with an update on the Culture Survey. The A/Director of Operations provided a summary on the Risk Management Q2. She brought the Q2 Strategy Risk Register (SRR) to the Committee for recommendation to the Board. The Committee reviewed the ARM minutes, Control Log, DOF Guidance and the Committee's work plan. The Head of Finance & Estates confirmed that there were no suspected or actual incidents of fraud or losses to report. The next meeting is scheduled for 11 February 2022.

The Board noted the update.

11.1 Q2 Strategic Risk Register (SRR) 2021/22 (Paper 105/21)

The A/Director of Operations advised the Board that there had been no change in the number of risks or their rating. There were however significant updates to the controls, actions and gaps for Risks 1, 2 and 3. Following concern expressed by the ARAC on risks going from year to year the SLT will discuss any emerging risks on a monthly basis. The Committee, following discussion, had agreed to recommend approval of the Q2 SRR to the Board. The Members were advised that ARM Terms of Reference are being reviewed and will be finalised soon.

The Board approved the Q2 SRR,

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

Mr Wall, Committee Chair, provide the Board with a summary of the Committee meeting held on 29 October 2021. The meeting discussed the CJI Report on Women and Girls within the Justice System and the high number of mental illness cases among this cohort. The number of women sentenced and on remand is an increasing area of concern. The Strategic Risks that are within the PPC's oversight were reviewed. The DP Statistician

provided papers on Q2 2021/22 Caseload, Monthly Management Information Forecast and Criminal Justice Trends. The Committee discussed what the statistics mean for PBNI. The Business Plan Q2 was brought for discussion and recommendation. It was noted that despite Covid a lot was achieved with all six Strategy Priorities having a 'green' rating. Mr Wall congratulated staff on this achievement. There are three policies being brought to Board for approval. The annual seminar is scheduled for 19 January 2022 and Dame Carol Black has been secured as a key speaker. There was a good discussion on the RQIA Report and the difficulties in securing GP appointments and support or referral to mental health beds.

The Board noted the update.

12.1 Q2 Business Plan 2021/22 (Paper 107/21)

The Q2 Business Plan was discussed at the Committee meeting on 29 October 2021. Following discussion and review, the Committee agreed to recommend approval to the Board.

The Board approved the Q2 Business Plan 2021/22.

12.2 Email & Internet Policy (Paper 108/21)

The Policy has been updated to keep it in line with the IT Assist Policy. The Committee discussed and reviewed the Policy at its meeting on 29 October 2021 and agreed to recommend approval to the Board.

The Board approved the Email & Internet Policy

12.3 Mobile Device Policy (Paper 109/21)

The Mobile Device Policy did not fit with the NICS policy so the PBNI Mobile Device Policy has been reviewed to fit with PBNI's working practices. Following discussion and review, the PPC agreed to recommend approval to the Board.

The Board approved the Mobile Device Policy.

12.4 Retirement Policy & Procedures (Paper 110/21)

The Retirement Policy & Procedures had previously been approved by the Board in February 2020. Once approved it was sent to the DOJ for sign off. The Department had a number of queries and clarification points. The Policy now reflects those additional changes, which are notified in the presented papers. Following discussion and review the Committee agreed to recommend approval of the additional points to the Board.

The Board approved the additional points added to the Policy by the DOJ.

12.5 Q2 2021/22 Caseload Statistics (Paper 111/21)

The Caseload Statistics are being brought for the Board's information and to note the trends. Key issues around gender and age, which the PPC raised as concerns during its discussion. There are now more females in Hydebank Wood than young males. In addition, the age profile of 50 and older population in custody is a growing trend.

The Board noted the paper.

12.6 Criminal Justice Trends (Paper 112/21)

The Criminal Justice trends are being brought to the Board for its information.

The Board noted the paper.

13. OTHER BUSINESS

The Board Chair thanked all members and officials for attending and advised that the Closed Session would take place after the Board meeting.

The meeting ended at 12.10 pm. The next Board meeting will be on 17 December 2021 via video conferencing .

D Ashford QFSM
Board Chair

Date