

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 20 AUGUST 2021

9.30 AM – WEBEX VIDEO CONFERENCE

436th MEETING – 32ND OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr D Ashford, Chair
Mr N Bodger, Deputy Chair
Dr J Byrne
Dr T Donaldson
Mr P Douglas
Mrs J Gillespie
Mr M Murray
Mr G OhEara
Mr D Wall

Mrs J Anderson, Boardroom Apprentice (Items 8 - 13)

OFFICIALS

Mr H Hamill, Interim Chief Executive
Ms G Montgomery, A/Director of Operations
Dr G O'Hare, A/Director of Rehabilitation
Ms C Sweeney, Head of HR & OD
Mr A MacKenzie, Deputy 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. Meetings continue to be conducted via video conferencing.

The meeting was advised that there would be a closed session at the end of the meeting.

The Board Chair congratulated Mr Bodger on being appointed as Deputy Board Chair. He also congratulated Dr Donaldson on her appointment as Chair of the Harbour Commission. The Board Chair welcomed Mr MacKenzie to the meeting who is deputizing for Ms Teggart who is on leave.

Members were advised that this would be Mrs Anderson's last meeting as Board Apprentice and Ms Gilchrist will be joining the Board in September as the incoming apprentice.

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

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr K Donaghy and Ms P Keenan, Members and Ms C Teggart, Head of Finance.

3. MINUTES OF BOARD MEETING HELD ON THE 18 JUNE 2021 (M06/21)

The minutes of the Board Meeting held on Friday 18 June 2021 were agreed as a true and accurate record of the meeting.

4. MATTERS ARISING FROM THE MINUTES (PAPER 68/21)

The Board Chair confirmed all actions have been completed. A member asked for information on Action 1, a bespoke L & D site, and was advised that this would be covered under the Estates item of the agenda.

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 met with Ms Amanda Stewart, who will be taking up her appointment as Chief Executive on 4 October 2021. He advised that Ms Stewart would be meeting with the Interim Chief Executive and other senior colleagues as part of her induction programme and handover process. The Interim Chief Executive will be retiring from the Organisation at the end of October 2021.

The Board Chair undertook a number of office visits with the Interim Chief Executive and he was pleased to report that there was positive feedback from staff. When Public Health guidance allows, it is hoped to start holding committee meetings away from Headquarters.

There have been conversations with the DOJ about Recommendation 1 of the CJI(NI) Report on the future structure of the Board. The Board Chair will keep members informed of developments. The Board Chair, Mr Wall and the A/Director of Rehabilitation had a meeting about the annual seminar and members will be updated under 'PPC' business. Members were also informed that he had attended a Chairs' Forum discussion on the RQIA, which provided some interesting insights. It is intended that at the Board's planned Development Day the RQIA report will be considered.

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 advised that the closing date for the post of Head of Finance & Estates was this week and it was planned that the appointment would be made during September.

The Interim Chief Executive advised that the PPC had received an update on the change to the legislative requirements on the supervision of TPMP licences. This will come into effect from 6 September 2021. PBNI will no longer supervise this cohort of offenders as the DOJ have appointed the England and Wales Probation Service to undertake this role.

The Board noted the update.

7. CORRESPONDENCE (PAPER 69/21)

There were two items of correspondence to note.

7.1 Letter received from Dr Harrison, DOJ, on the June Monitoring Round

The letter noted that the bid for funding to cover current pressures was not successful in the June Monitoring Round. Probation will resubmit the bid for the October Monitoring Round. Members were advised that due to the 'letter of comfort', expenditure has continued.

7.2 Future Financial Planning – Information Gathering Exercise – Resource

Correspondence had been received from the Financial Services Division requesting information as part of the preparation for the 2022-25 budget. The request was for illustrative cuts of 2%, 4% and 8% as scenario planning. The Deputy Head of Finance advised that the attached paper laid out the likely impacts of these cuts on service delivery. A flat cash settlement would equate to an actual cut of circa 3% because of the current £650k resource pressure. Discussion ensued on the potential risk of the projected inflation rate with the Deputy Head of Finance provided figures on the impact of a 2% inflation rate.

The Board noted the correspondence.

8. MANAGEMENT INFORMATION PAPER QUARTERLY UPDATE (PAPER 70/21)

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

The A/Director of Operations advised that there had been two Serious Further Offences (SFOs) to report since the last Board and she provided details on both cases. Discussion ensued on the SFO process and potential reviews by the Safeguarding Board. The Board was assured that there was a robust process and any review through the Safeguarding Board ensured independence. The Chair of the PPC suggested bringing the SFO Policy and Procedures to the Committee for review. The Management Team are to keep the Board informed on both cases.

The A/Director of Rehabilitation provided an update on the Covid arrangements for the Organisation, as laid out in the paper. The Organisation moved to phase 2 of the Recovery Plan in April and hopes to move to phase 3 in September. This will enable more face-to-face contact with service users, home visits and allowing programmes to take place in larger venues when available. The A/Director of Rehabilitation confirmed that the Unions were supportive of the move to phase 3. Members were informed that lateral flow tests have been ordered for staff and PPE continues to be available for staff with stocks being monitored.

Communication to staff continues fortnightly and the Recovery Group continues to meet to take account of any changes to the Public Health guidance. Discussion ensued on vaccinations and those who have chosen not to be vaccinated. This may include staff and service users. It was agreed that procedures on this would need to be looked at going forward.

The A/Director of Rehabilitation advised that 18 colleagues had retired during the pandemic and an event to mark the retirements will be held in September with Public Health guidelines being followed.

The A/Director of Rehabilitation reported on the Communications and Engagement activities, as laid out in the paper, and advised that the Head of Communications had been busy on Twitter as a means of communicating directly with the public. Members noted that responses had been sent to a number of 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 28 probation posts had been filled with induction commencing on 4 October. An update on pay for senior staff and pay scales was provided. It was noted that Unions had agreed to participate in research to assess the applicability of the job evaluation process used in the NICS for probation grades. The Head of HR& OD reported that there had been no developments on the NILGOSC legal challenge. Updates on the Wellbeing, stress assessments and lateral flow tests were provided. An update on the Culture Survey Action Plan will be provided under item 11.2 of this agenda

The Deputy Head of Finance provided an update on Estates and Business Cases as laid out in the paper. Covid supplies continue to be distributed and stock levels monitored. Members received updates on the Enniskillen, Newry, Dungannon properties and the Alderwood Redevelopment project. Due to the potential Alderwood project, work on upgrading the kitchens and toilets in HQ had been put on hold. Business Cases on leases continues on a number of properties.

The Board noted the paper.

9. BOARD SECRETARY'S BUSINESS

9.1 Board Secretary's Update

The Board Secretary informed the members that a reminder on the Email Policy around the use of personal email addresses had been issued. Personal email will not be used routinely but may be used in exceptional circumstances. In response to a member's query on the limits of what is acceptable, the Board Secretary advised that a balanced approach is appropriate. Agendas were used as an example of what is acceptable as minutes are published on the website in due course. He asked members to use their judgement as it is possible that any decision may have to be explained subsequently.

The Board noted the update.

9.2 Board Work Plan 2021/22 (Paper 71/21)

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, 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 3 September 2021.

The Board noted the update.

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

Mrs Gillespie, Committee Chair, provided a summary of the Committee meeting held on 30 July 2021. The meeting was held via the 'hybrid' method in Headquarters and by video conferencing. The Committee discussed the issues around a flat line budget with 88% of the budget being on staff costs. It was agreed that the consequences of the pressure of £650k may require discussion at Board in due course. The Committee discussed the turnover amongst senior staff and 'corporate memory' as a concern. The video on the Culture Survey produced by the Head of HR & OD has been uploaded on to 'Decision Time' for members to view. The Committee Chair commented that the input by the unions to the video was welcome. The opportunity of developing the Alderwood site as a site for HQ, programme delivery unit and a Learning & Development Centre was discussed with discussion in particular around transport links, Section 75 considerations and planning. The Committee was pleased to have early notice of the plans for Alderwood. The Head of IT provided a comprehensive update on the IT Action Plan: Year 1. The Committee Chair advised that there was some learning from conducting the meeting via 'hybrid' but the visibility and meeting staff was useful.

The Board noted the update

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

The Deputy Head of Finance provided a summary of the presented paper. The overall resource overspend to date is £36k (0.5%). The forecasted pressure at the end of July 2021 of £650k remains as the bid in the June Monitoring Round was not successful. A bid has been submitted again in the October Monitoring Round. Members noted the 'Letter of Comfort' received from the Department. There are no pressures in the Capital budget to date. Prompt Payment targets have improved since May with new procedures in place to cover absences. There continues to be no update on VAT reclaiming.

The Board noted the paper.

11.2 Culture Plan Update – July 2021 (Paper 73/21)

The Head of HR & OD provided an update of the Culture Plan as laid out in the paper. She advised that she has led 5 workshops so far and was pleased at how positive they have been. The sessions have been forward thinking and looking at Probation's 'values'. The Head of HR & OD advised members that she hopes to bring the outcome of the workshops to the October Board Meeting. A member congratulated the Head of HR & OD on progressing speedily through the workshops and on to the report.

The Board noted the paper.

11.3 CJI (NI) Action Plan (Paper 74/21)

The A/Director of Operations provided an update on the CJI(NI) recommendations. The presented paper provides detail on the 11 recommendations for which Probation have responsibility. She confirmed that all recommendations within PBNI's control for PBNI to address have been completed, the Board Chair updated on Strategic Recommendation 1 which is for the Department to take forward (Board Chair's update). As requested, an update on progress on the recommendations will be submitted to the Justice Committee in September. In response to a member's query, it was confirmed that work will continue to monitor the maintenance and the effectiveness of the completed recommendations. There was a question on when CJI(NI) would be reviewing the progress of the Action Plan. The Interim Chief Executive informed that there was no indication that CJI(NI) would be formally reviewing progress on the

recommendations. The Interim Chief Executive advised that he will be having an informal meeting with the Chief Inspector and he will provide an update to her then.

The Board Chair thanked the Officials for the update and congratulated them on completing the Action Plan.

The Board noted the paper.

11.4 Alderwood Development Options (Paper 75/21)

The Interim Chief Executive introduced the paper. The option paper had been presented to the CRC at its meeting on 30 July 2021 when the Committee had an in-depth discussion on the proposal. The purpose of presenting the paper is to give the Board forward notice of the proposal. The Option Paper lays out the plans to build a bespoke facility incorporating Headquarters, Programmes and Learning & Development. Taking into account the rent of North Street and other costs, the Strategic Investment Board is interested in the proposal. The Members commented that it was an exciting proposal and looked forward to being kept informed of progress.

The Board noted the paper.

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

Mr Wall, Committee Chair, provided a summary of the PPC meeting held on 6 August 2021. He advised that it had been a wide-ranging discussion on supervising service users, mental health issues, offences committed that lead to offenders being in custody and providing a pathway back into the community. The Committee discussed the new legislation on supervision of TPMOs by the England & Wales Probation. The Committee Chair congratulated the Interim Chief Executive on achieving this outcome. The Strategic Risk Register was discussed with the funding risk remaining a concern for PBNI generally and the impact on the Voluntary and Community Sector in delivering services. The Child Protection Policy will be presented to the Board for approval. The Q1 Business Plan is also being brought to the Board for approval, noting that all Strategic Priorities have a 'green' status. The DP Statistician had presented the Forecast paper, which led to an in-depth discussion on dealing with female offenders. The Committee expressed its concern on the number of elderly females in custody. The Committee spent time discussing the Serious Further Offences (SFO) Annual Report which has been brought to the Board for noting. The Members were advised that the annual seminar has been postponed due to the Ministers for Health and Justice not being available. Another date is being identified.

The Board noted the update.

12.1 Child Protection Policy (Paper 76/21)

The A/Director of Rehabilitation advised members that the AD, Risk had presented the Child Protection Policy to the PPC at its meeting on 6 August 2021. There were some minor changes made to the Policy following feedback from the Senior Management Team and unions. Following discussion the Committee agreed to recommend approval to the Board.

The Board approved the Child Protection Policy.

12.2 Q1 Business Plan 2021/22 (Paper 77/21)

The A/Director of Rehabilitation advised that the Q1 Business Plan 2021/22 had been presented to the PPC at its meeting on 6 August 2021. Following a full discussion the Committee agreed to recommend approval to the Board. Members were advised that

the 6 Strategic Priorities included in the 2020/23 Corporate Plan all have a 'green' status and she thanked staff for this excellent outcome. She commented that there was no movement on the Sentencing Review.

The Board approved the Q1 Business Plan 2021/22.

12.3 Good Relations and Equality Report (Paper 78/21)

The Head of HR & OD informed members that the paper is being brought to the Board for noting. The Organisation is required to submit the Report annually to the Equality Commission. A member asked if feedback was received from the Commission and the Interim Chief Executive advised that traditionally we do get a response / acknowledgement.

The Board noted the Report.

12.4 Q1 2021/22 Caseload Statistics (Paper 79/21)

The PPC discussed the Q1 Caseload Statistics in detail at its meeting on 6 August 2021. The A/Director of Rehabilitation provided a summary for the Board Members. A detailed discussion ensued on women in custody. There was discussion on why sentencers were sending women to custody. It was reported that older women are being arrested for behaviour at A & E departments and are remanded in custody. PSRs are not completed at that stage. The South Eastern Health Board have responsibility for the health of women in custody. It was agreed that this was both a Health and a Justice issue. The A/Director of Rehabilitation advised that Manchester have a Problem Solving Court for Women and she will be exploring this during September.

The Board noted the Report.

12.5 SFO Annual Report (Paper 80/21)

The A/Director of Rehabilitation advised that the PPC had had a full discussion on the SFO Report at its meeting on 6 August 2021 and it was being brought to the Board for noting.

The Report provides information on the areas that the SFOs happen and at what stage in the supervision they happen. The age of when offences are committed remains consistent at 20 – 29 year olds. There were 4 identified SFOs within the Domestic Violence context. A member noted that there were no SFOs on those who had been subject to Enhanced Combination Orders and this was a positive endorsement of that approach.

The Board Chair commented that there had been discussion earlier in the meeting on the SFO process and stated that this was an important paper to note.

The Board noted the Report.

13. OTHER BUSINESS

The Board Chair wished Mrs Anderson the very best in her career and hoped that she found the Board Apprentice scheme useful. Mrs Anderson said that she had found the experience interesting and insightful. It was a great learning experience and she wished the Board all the best in the future.

The Board Chair thanked all in attendance at the meeting and advised that the next meeting will be 17 September 2021 at 9.30 am, with the venue to be confirmed.

D Ashford QFSM
Board Chair

Date