

PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – FRIDAY 16 DECEMBER 2022**

**9.30 AM – PBNI CONFERENCE ROOM AND VIDEO CONFERENCING**

**451<sup>st</sup> MEETING – 9<sup>th</sup> OF THE THIRTEENTH TERM OF OFFICE**

ATTENDANCE

Mr M Murray, Chair  
Ms E Patterson, Deputy Chair  
Ms M Brunt – Via Video Conferencing  
Dr J Byrne  
Mr B Ingram  
Mr J Johnston  
Ms A Lloyd-Stevens  
Mrs C Magee  
Ms B Mongan

OFFICIALS

Ms A Stewart, Chief Executive  
Ms G Montgomery, Director of Operations (CC)  
Mr S Hamilton, Director of Operations (PPPP) – Via Video Conferencing  
Mr P King, Head of Finance & Estates  
Ms G McGreevy, Head of Communications  
Mrs C Sweeney, Head of HR & OD  
Mr M Cox, Board Secretary  
Mrs W Rodgers, Secretariat (Minutes)

Guest

Mr Pengelly, Permanent Secretary, DOJ  
Area Manager, Aspire

**Presentation by Area Manager, Aspire**

The Board Chair welcomed the Area Manager from Aspire and invited her to provide an overview of the work of Aspire which is a project funded through the Tackling Paramilitarism Programme.

The Area Manager delivered a presentation on the work of the Project. Aspire is a PBNI programme supporting young men at risk of becoming involved in organised crime, criminality and who may also be under threat from paramilitaries or at risk of becoming involved in paramilitary organisations. The Area Manager provided the Board with an overview of the 3 elements of the programme: statutory supervision, mentoring and community engagement. A case study was provided to focus on the statutory side of the project and the Area Manager concluded by summarising her reflection of learning from the project to date.

A question-and-answer session followed the presentation.

The Board Chair thanked the Area Manager for her presentation. He commented that when members visited Aspire earlier in the week they were impressed with the professionalism and commitment of the staff. He also commended staff for making connections with other organisations and taking responsibility for this. The Area Manager left the meeting.

The Board Chair welcomed Mr Pengelly, Permanent Secretary Department of Justice (DOJ), to the Meeting and invited him to provide the Board with some of his thought on the key issues for the Department of Justice and an overview of the Criminal Justice Board (CJB) priorities.

He commented that there was a need for a more strategic approach to delivery of public services with a focus on allocation of resources to specific work to fully realise the benefits and outcomes identified in the previous draft programme for government. From a justice perspective the focus for the CJB was on speeding up justice and reducing the length of time spent on remand. He stated that there was an opportunity for the system to work in a more joined up way whilst also respecting the independence of the various parts of the system. He acknowledged the importance of the work of probation across the sector and the contribution it makes to the overall Departmental objectives. Mr Pengelly also provided an overview of the current financial and political position. A question-and-answer session followed on the issues and key areas of risk for the Board linked to resourcing, pay modernisation, delivery of effective, quality and safe practice, workload pressures for staff arising from increasing complexity and the need for a whole system approach to reducing reoffending.

The Board Chair thanked Mr Pengelly for joining the meeting. He advised that staff were aware that he was joining, and they appreciated Mr Pengelly's visit to Probation. The Board thanked him for his time in attending the Board and providing the wider context to the work of PBNI.

Mr Pengelly left the meeting.

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

The Board Chair welcomed everyone to the meeting which was being held 'in person' and virtually.

The Board Chair commented that the Members' questions and comments were robust, and Mr Pengelly understood the Board's issues.

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

### **2. APOLOGIES FOR ABSENCE**

Apologies were recorded from Mr Bodger, Board Member; Mr Donaghy, Board Member; Dr Keady, Board Member; Mrs Crothers, Boardroom Apprentice and Mr Barnes, who has currently stepped aside as a Board Member.

### **3. MINUTES OF THE BOARD MEETING HELD ON THE 25 November 2022 (M11/22)**

The minutes of the Board Meeting held on Friday 25 November 2022 were approved as a true and accurate record of the meeting. Following discussion on a point under agenda item 8, it was agreed that Ms Mongan would follow up with the Director of Operations (CC).

**Action: Ms Mongan to link with the Director of Operations on support provided to staff on the frontline on trauma (Ms Mongan and Director of Operation (CC).**

The minutes were approved by the Board.

#### **4. MATTERS ARISING FROM THE MINUTES (PAPER 127/22)**

The Board Chair advised that the action from August's meeting was now completed as a paper is being presented to CRC in January and then onward to Board.

There were 5 actions from November's meeting. The Board Chair advised that actions 1, 2, 3, 4 and 5 noted in the paper as 'completed' or action 'noted'.

There are no other outstanding actions.

The Board noted the paper.

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

The Board Chair advised on his events and meetings attended since the last Board.

Both the Board Chair and the Chief Executive attended a virtual briefing from the Head of the Civil Service and the Department of Finance (DOF) Permanent Secretary. Having no Executive and the issues that this causes were advised.

On 2 December 2022 both the Board Chair and the Board Secretary met with representatives of Northern Ireland Public Service Alliance (NIPSA) to discuss issues which they had raised with the Chair on behalf of some of their members on the process for the Assistant Director (AD) competition. NIPSA now fully accepted that the process was fair and consistent with relevant employment legislation. The highly standardised way the shortlisting and interview process were conducted, followed best practice guidelines, and provided all candidates with equality of opportunity to demonstrate the competencies being assessed.

The Union have tabled six questions and it was agreed that these be addressed by the Head of Human Resources and Organisational Development.. The Union agreed to feedback to the complainants that it was happy with the process. The matter is now concluded.

The Board Chair, Ms Patterson and Mr Johnston visited the Aspire and Victims Unit on 13 December 2022 with the visit being helpful and informative. The Meeting with NIARCO has been postponed. The Board Chair will be attending the Annual Accountability Meeting on 18 January 2023 with the Permanent Secretary and a Chairs Forum on 19 January 2023. The Board Development Day is scheduled for 24 January 2023. The Board Chair advised members of the proposed agenda for the day. Members were asked to advise him of any suggestions. Mr Johnston suggested that he would like to include the relationship and demarcation of responsibilities between the Non-Executive and the Executive and also a discussion on the performance framework to support the Corporate Plan.

**Action: Members to advise the Board Chair of any suggestions for the Board Development Day (Board Members)**

The Board noted the update.

## **6. CHIEF EXECUTIVE'S UPDATE (PAPER 128/22)**

In advance of the meeting, the Chief Executive had provided a paper on meetings and key issues since the last Board meeting, together with a commentary on key issues.

The Chief Executive informed that she and the Director of Operations (PPPP) together with DOJ colleagues attended a meeting with the NIAO on the Adult Re-offending Value for Money (VFM) Inspection. NIAO are undertaking internal quality assurance on the draft report which they would plan to circulate early in the New Year for the factual accuracy. A member requested that the Chief Executive continue to keep the Board informed of the issues for PBNI in advance of publication.

The Reducing Reoffending Strategic Outcomes Group on which the CE represents PBNI conducted a review of its terms of reference and agreed a number of priority areas of focus. PBNI will lead on scoping out what a bail support scheme for adults would look like and PSNI are to lead on the reinvigoration of Reducing Offending in Partnership/Integrated Offender Management. In doing so, we will work with justice partners (DOJ/NIPS/PBNI/YJA) to establish arrangements, which it is proposed will ultimately be operated between the organisations.

The Board noted the update and paper.

## **7. CORRESPONDENCE (PAPER 129/22)**

There was one item of correspondence to note.

### **7.1 Letter received from the Permanent Secretary on Pay Modernisation**

The Board noted the Correspondence.

## **8. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 106/22)**

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

The Head of Finance & Estates referred members to the provided paper. He advised that the Head of the Civil Service had informed that the wider NICS will have much stricter envelopes. We can assume some level of approval and support from the Department on the Pay Modernisation Business Case. Including pay revaluations, the total equates to £1.8 m but we can fund £500k therefore the business case is for £1.3m (if approved) which was acknowledged in the final draft allocation letter for 2022/23.

There is no update on legal cases to report. There are no cases that cause concern for financial risk.

The Head of HR & OD provided an update highlighting a number of points.

Probation is carrying vacancies at present. There will be a recruitment exercise for Probation Officers in the New Year. In January there will be induction for new starts and the 7 students. this will be over 11 days and covers all recently recruited staff in the Organisation. The first year of monitoring new starts has completed. Feedback on the original expectations of this group has

been positive particularly around the impact of their work with service users. There were challenges and not always were the expectations met.

Health and Wellbeing continues with a number of initiatives planned for 2023. There are a range of services available to staff. There was a discussion around agency staff and members were advised that agency staff can only apply externally for a position with Probation.

The Director of Operations (CC) informed that there was nothing to update on the CJINI follow up inspection. The inspection of Approved Premises is at an advanced stage, but Probation have not received a draft copy of the report for accuracy checking. There are no significant changes to report on Practice Standards only to say that there are more teams following the Standards than deviating from them. A pilot for Short Adjournment Reports will run for 6 months. There is some resistance and concerns on this across the Organisation. There is no resistance from the Judiciary. The pilot will be monitored monthly. The Board will be kept updated on the pilot.

There is an amendment to the presented paper, and it is now confirmed that there were no Serious Further Offences to report since the last Board Meeting.

The Director of Operations (PPPP) advised that members would be aware that he is currently working on a version of current establishment figures and advised that this was a critical piece of work driven by the vacancies.

Work is ongoing to explore the potential to deliver Enhanced Combination Orders (ECOs) in a more cost-effective way to support a proposal to DOJ for a further roll-out This could have benefits across the sector. A paper is going to CRC and an update provided to the Board.

The Head of Communications provided an update on Internal and External communications. An interview with the Chief Executive and Director General of Prisons is being proposed. There is tentative work around two documentaries with two companies interested and suggesting that there is a story to tell on ECOS and Victims. The Communications Strategy runs for 3 years as per the Corporate Plan so a draft strategy will be brought to the Board for approval in the New Year. There will be a slight shift to external communications and public affairs which is currently working well and should continue.

Members were shown a draft mock-up of the Corporate Plan and a digital version. The live animated version will be sent out to stakeholders and staff. The Board acknowledged the significant work that had gone into developing the document.

The Board noted the paper.

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

### **9.1 Board Work Plan 2022-23 (Paper 131/22)**

The work plan for the current year is coming to an end but it shows the work achieved by the Committees and Board for the year.

The Board noted the paper.

### **9.2 Meeting Schedule 2023/24 (Paper 132/22) Board Work Plan 2023/24 (Paper 133/22)**

The Board Secretary informed that the work plan and meeting schedule are live documents and shows what happens and when to avoid any surprises. The documents may change

after the Board Away Day on 24 January 2023. It is important that the papers remain active and relevant.

The Board noted the paper.

### **9.3 Code of conduct for Members (Paper 136/22)**

The Board Secretary informed members that they had approved the Code of Conduct at the August Board and it was then sent to the DOJ for review. The Department came back with some queries, which have now been addressed. The definition of 'hospitality' is not included in the Code of Conduct, and this is the only outstanding issue. It was noted that the Department have indicated that they are content. Members were asked for their agreement that the Board Chair could send it to the Department for formal approval.

The Members noted the paper and agreed to the Board Chair forwarding the document to the Department.

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

In the Committee Chair's absence, the Deputy Committee Chair advised that there had not been a meeting since the last Board Meeting and there are no papers to be brought to this Board. He advised that there were no emerging issues to report as a concern. The next meeting is scheduled for 3 February 2023.

The Board noted the update

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

The Committee Chair advised that there had not been a meeting since the last Board Meeting and there is one paper being brought to this Board. He advised that there were no emerging issues to report as a concern. The next meeting is scheduled for 20 January 2023.

The Board noted the update

### **11.1 Financial Outturn Report – November (Paper 134/22)**

The Head of Finance and Estates provided a summary of the Outturn paper provided.

Members were advised that the final budget for this year has been received and it includes funding of all pressures. The Department has indicated the importance of ensuring that funding is fully utilised. There are no pressures showing from Probation's point of view. Next year, although funding is uncertain, we are looking at a 2% cut on the closing budget instead of the opening. Work is ongoing to maximise spending on the Capital funding. A member commented that a Pay Modernisation Decision meeting may be needed to look at the risk analysis. The Head of Finance & Estates informed that there was no formal feedback from the DOJ at this time, but the Business Case is with the economists.

The Board noted the Paper.

## **12. COMMITTEE CHAIR'S UPDATE POLICY & PRACTICE COMMITTEE (PPC)**

The Committee Chair advised that there had not been a meeting since the last Board Meeting and there are no papers to be brought to this Board. He advised that there were no emerging issues to report as a concern. The next meeting is scheduled for 10 February 2023.

The Board noted the update

### 13. OTHER BUSINESS

The Board Chair thanked members and officials for attending and wished everyone a Happy Christmas and a peaceful New Year. The next Board meeting will be on 27 January 2023, PBNI Conference Room, 4<sup>th</sup> Floor at 10.00 am. Members were reminded of the Away Day on 24 January 2023

The meeting ended at 12 noon.

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Mr Max Murray CBE  
Board Chair

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Date