

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 24 JUNE 2022

9.30 AM – VIDEO CONFERENCING

446th MEETING – 4th OF THE THIRTEENTH TERM OF OFFICE

ATTENDANCE

Mr M Murray, Chair
Mr N Bodger
Ms M Brunt
Dr J Byrne
Mr K Donaghy
Mr B Ingram
Mr J Johnston
Dr M Keady
Ms A Lloyd-Stevens
Ms C Magee
Ms B Mongan
Ms E Patterson

Deirdre Gilchrist – Boardroom Apprentice

OFFICIALS

Ms A Stewart, Chief Executive
Ms L Arthur, AD Risk
Ms J Grant, AD Programmes
Ms L McAllister, Manager L & D
Ms G McGreevy, Head of Communications
Mr P King, Head of Finance & Estates
Mrs C Sweeney, Head of HR & OD (items 1 - 9, 12.3, 12.4)
Dr D Brown, DP Statistician (Items 13.3 and 13.4)
Mr M Cox, Board Secretary
Mrs W Rodgers, Secretariat (Minutes)

Guests

Area Manager and members of the Victim Unit Staff

The meeting opened with the Board Chair welcoming the Victim Unit staff to the meeting. He invited Ms O'Neill to present to the Board Members on the Victim Unit and their work with Victims and Service Users.

The Victim Unit Team provided members with information on the work and support that they provide to victims that have registered with the scheme. The Minister of Justice has launched the Victim Strategy. The Team advised about their contact with victims and the information that they provide such as release dates and parole hearings. Keeping victims informed at all stages leads to trust but also a degree of reliance. The Team talked about the emotional challenges involved in engaging with victims and the mental health support that was in place through the Inspire services.

The Members discussed victims being central to the Justice System with the Team being in contact with colleagues daily. Giving victims' control of their decision making is key as well as good communication.

On behalf of the Board, the Board Chair thanked Ms O'Neill and her team for providing the Board Members with information on what they do and it is hoped to set up a visit to the Team in the near future.

Action: A Copy of the Victim Strategy to be uploaded to Decision Time (Secretariat)

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting, which was being held by video conferencing due to circumstances. He advised that there would be a slight change to the order of business on the agenda to facilitate Officials. Members were also informed that there would be a closed session at the end of the formal meeting. The Board Chair welcomed Ms Lesley McAllister to the meeting and hoped she would find it informative. He also welcomed Ms L Arthur who will be deputising for Ms Montgomery and Ms J Grant who will be deputising for Dr O'Hare.

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

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Ms G Montgomery, A/Director of Operations; Dr G O'Hare, A/Director of Rehabilitation and Mr Barnes, who has currently stepped aside as a Board Member.

3. MINUTES OF THE BOARD MEETING HELD ON THE 27 May 2022 (M06/22)

The minutes of the Board Meeting held on Friday 27 May 2022 were approved as a true and accurate record of the meeting with one slight amendment.

The minutes, including the amendment, were approved by the Board.

4. MATTERS ARISING FROM THE MINUTES (PAPER 45/22)

The Board Chair noted that there was one action recorded from the meeting held on 27 May 2022. The action was marked as complete as it is on the agenda for the PPC meeting in August. It was also noted that there were no other outstanding actions.

The Board noted the paper.

5. BOARD CHAIR'S UPDATE

The Board Chair provided members with an update of his meetings and events he had attended since the last Board Meeting, highlighting some particular visits. Members were advised that the Board Chair attended the 'Board Effectiveness – NIAO Good Practice Guide' Launch that provided useful information. For members' information, the Guide has been uploaded onto Decision Time, under 'Resources'.

The Board Chair visited the Probation Service in Dublin and met with the senior team. He noted that there were many parallels between the two services. He noted that Probation Service has yet to publish Practice Standards, but they are continually to work on developing them. It does not have any issues with the staff's Terms & Conditions and they have a good retention rate. Interestingly they do not have any psychologists on the staff, but they don't view this as a major disadvantage.

The Corporate Planning event was regarded as being reflective and successful with everyone attending participating fully. The Head of Communications will present a draft paper summarising the main points from the event.

Dr Keady attended a seminar run by the Confederation of European Probation (CEP) with the subject being International Workshop on Mental Health in Probation. The Board Chair invited Dr Keady to give the members a summary of the event. Dr Keady advised that the event had to be held online due to Covid. There were several useful papers provided and it was interesting to see people from other jurisdictions. He reported that the reputation of PBNI was high and well respected among the participants. The joined-up thinking was a good idea and it was an excellent event. The Board Chair thanked Dr Keady for attending on behalf of the Board.

Ms Mongan and Ms Patterson will be attending a Community Service event and the Board Chair will be meeting with Ms Montgomery of the DOJ, by way of an update meeting. Members attended a visit to the Assessment Unit and the Board Chair wished to thank the staff for their time.

A programme of office visits is being arranged and the Celebration of Probation's 40th year anniversary is on 14th September. The competition for Deputy Chair of the Board will be circulated soon and the Board Chair would encourage members to apply.

The Board noted the update.

6. CHIEF EXECUTIVE'S UPDATE (PAPER 64/22)

The Chief Executive provided a paper by way of an update on meetings, visits and key issues since the last Board meeting highlighting a number of points.

Internal and External engagements continue with several key meetings listed for members to note. Focus remains with internal engagement with staff and the Chief Executive updated the Board on an on-going consultation with staff on the PBNI the Mobility Policy. The Chief Executive attended one of the consultation events which Ms McAllister (L&D Unit) is facilitating and she advised the Members that she was very impressed with the level of engagement by staff and the use of technology.

The AD, Prisons, had also organised a Prison Development Day for staff bringing all Probation prison staff together which they appreciated. She is encouraging Managers and staff to look for opportunities to support each other in context of some of the staffing challenges that the organisation is experiencing at present.

The Chief Executive provided an update on areas of key issues such as, the Hybrid Working Pilot, Workforces Challenges and the Senior Leadership Team Review. Once the Hybrid Pilot has been completed, the Chief Executive will bring a report to the Board in February 2023.

Action: Report on Hybrid Working to come to the Board in February 2023 (Chief Executive)

The Chief Executive briefed the board on the review and structure of the Senior Leadership Team. An action plan will be brought to the Board in due course. Members were informed that there are no significant issues but portfolios will need to be reassessed as some are more heavily loaded than others. There was an immediate need to stabilise the staffing in the Senior Leadership Team and the Chief Executive was planning to advertise the Director positions imminently. There is a vacancy at AD level and a competition will be run to fill this post temporarily until a permanent competition can be organised.

The Members were asked to note the 'Forward Look' and the upcoming events.

Action: Following discussion with the DOJ on PSJ funding an update is to be provided to the CRC at its next meeting (Chief Executive).

The Board Chair acknowledged the Chief Executive's thanks to the Board on its congratulations to her on Award in the Queen's Birthday Honours. He also wished to put on record the Board's congratulation to Shauna Scroggie on her award of an BEM . The Board Chair asked members to note the 14th September in their diaries for the 40th Anniversary staff awards event. He also asked members to note the Institute for Government online event on 27 June 2022 on the new unified Probation Service

Members were provided with information on the 40th Anniversary event, which the Head of Communications is arranging. The Chief Executive referred to the two CJI (NI) Inspections as noted to in her paper

The Board noted the update.

7. CORRESPONDENCE (PAPER 47/22)

There were two items of correspondence to note.

7.1 Letter received from Safeguarding Board for NI on the Leonard Report

7.2 Response from the Chief Executive on the Leonard Report

The Chief Executive provided background into the correspondence received on sharing information with other agencies for effective safeguarding and child protection. There is a perceived tension between data protection and child protection. However, the Children's (NI) Order 1995 requires HSCTs, if they have reasonable cause to suspect a child is suffering, to make enquiries to enable them to make a decision as to whether they need to take action to protect the child. The same Order requires agencies, when asked to do so by the HSCT, to provide relevant information and advice. And whilst the Data Protection Act 2018 places greater emphasis on organisations being transparent and accountable in relation to their use of data it does not prevent or limit the sharing of information for the purposes of keeping children safe. The Department of Health published Guidance on Sharing Information on 31st August 2021. This Guidance sets out the reasons why agencies need to share information and the legislative context for doing so. The Chief Executive provided assurance that PBNI is adhering to this Guidance.

The Board noted the correspondence.

8. DRAFT CORPORATE PLAN CONSULTATION DOCUMENT (PAPER 66/22)

The Board Chair congratulated the Head of Communications for providing a draft paper for this meeting in such a short period of time since the Corporate Planning event.

The Head of Communications took the Members through the paper in detail, providing explanations and narrative for each item. She set out the timeline for the consultation and who were key stakeholders to approach for comment.

Detailed discussion ensued with members agreeing that the draft paper reflected their discussions at the Corporate Planning event. The paper will focus the discussion at the consultation events. The goals and impact are key with the language used being simple and clear. It was suggested that working with Health needed emphasised as being in a collaborative way. There was discussion on the role of Education for service users being particularly important.

The Board Chair summarised the discussion: refinement of the current trends is needed and a short explanation as to what they mean. This is important in setting out the vision and the direction of travel, acknowledging and setting the challenges to be faced. A key question is 'Who are we writing this Plan for?' It needs to be answered so that the language is appropriate. The main audience is likely to be our Staff at all levels.

The Head of Communications asked members if they had any further feedback to contact her directly.

The Board Chair thanked the Head of Communications for pulling the information together into a draft for discussion.

Action: A small sub-group should be formed to discuss the paper and bring back the paper to the August Board. (Board Chair)

Action: Members to pass any comments to the Head of Communications (Board Members)

The Board noted the paper.

9. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 67/21)

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

The Head of Finance & Estates advised that papers under agenda items 12.1 and 12.2 will provide a comprehensive update on Finance and Budgets. He informed that one legal case had been settled and agreed by both parties.

The Head of HR & OD provided a summary of the Human Resources update highlighting a number of areas. Discussion on Pay Modernisation continues with a full update to be provided to the Board after the round table discussion with the Trade Union Side has taken place. She set out the timeline for negotiations and providing the Department with an outline business case.

The Board Chair invited the Manager of L & D to provide details of L & D's work. The Manager of L & D provided details of the current training programmes being delivered. There will be engagement and support for new colleagues in their first year of employment at 3, 6, 9 and 12

months. Members were provided with information on the 'Developing Managers Programme', which was completed in June. 14 managers, from both operations and corporate, completed the programme. This was the first programme run covering both soft and coaching skills.

Discussion ensued on the programmes being offered. In response to a member's question, the Chief Executive advised the SLT has a plan in place for a team building process by holding team development days and encouraging impact days. Board Members would be welcome to attend any of these days. Evaluation was discussed and its importance. It was noted that the impact of working remotely and how this will affect people has not yet been assessed.

The AD Risk provided an update on the Operations Directorate. Focus remains on the recommendations and action plan emanating from the 2019 CJI(NI) Inspection of Probation Practice. There is no update as to when the follow up inspection will take place during the current financial year. PBNI are contributing to the CJI(NI) Inspections listed in the paper. Local deviations from Practice Standards continue to be monitored.

There were no Serious Further Offences to report on since the last Board Meeting.

The AD Programmes, provided an update on the Rehabilitation Directorate. The Covid Recovery Plan continues with the Hybrid Working pilot also commenced. The need to wear face masks and social distancing has been removed. There have been 10 Domestic Homicide Reviews since their introduction. Following feedback from staff and managers the line management structure for Inspire has changed. The Inspire staff will now be managed by the managers in the field teams where they are based. The reasons for this change are set out in the paper. A paper will be presented to the Criminal Justice Board outlining a proposal to move to a permanent 8-week adjournment period for Court Reports.

The Head of Communications provided details of internal and external communications, highlighting several events. She highlighted the 40th Anniversary event and, as part of this, the awards to be presented to staff across different categories. The City Hall will be used for the event. All staff and Board Members will receive an invitation to attend.

There has been a lot of external communications activity as listed in the presented paper.

Data Incidents are sitting at 11, they are mostly categorised as low to medium. Annual training will now be rolled out to all staff on GDPR. The Data Protection Officer will be visiting all teams to reinforce the message of Data Protection.

The Board was asked to note the ICT Update as laid out in the paper.

The Board noted the paper.

10. BOARD SECRETARY'S BUSINESS

The Board Secretary reminded members to submit their expenses within the three-month timeframe.

The Board noted the update.

10.1 Board Work Plan 2022/23 (Paper 68/22)

The Board Secretary advised that the work plan covered the financial year 2022-2023 and provided information on the work of Committees and Board. The Work Plan ensures that the Committees and Board have advance notice of their work going forward and the Plan works on the principal of no surprises

The Board noted the paper.

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

Members were informed that Mr Ingram chaired the ARAC meeting in June for Mr Bodger.

The Acting Committee Chair provided an update of the ARAC meeting held on 17 June 2022 when several core business items were presented to the Committee. The External Auditors reported on 'The Report to Those Charged with Governance'. It was noted that there were no Misstatements or Irregularities of expenditure found. The Risks, Audit Response and Outcomes were as laid out in the paper. The Committee noted the Internal Audit Charter and PBNI received a 'satisfactory' assurance on this.

After discussion the Committee accepted the Risk Register and the changes made. The Committee has asked for horizon scanning to be undertaken to identify any emerging issues of concern. The Audit Control Log noted 2 Priority 3 recommendations for the Procurement Audit which had received a 'satisfactory' assurance.

The Annual Report and Accounts were unqualified and the Committee congratulated the Head of Finance and his team on this. The pension liability was unchanged since it was presented to the Committee in May. There were no suspected or actual incidents of fraud reported in the period.

The Board noted the update.

11.1 Draft Annual Report and Accounts (Paper 69/22)

The Head of Finance & Estates advised that there were no issues to note and the outstanding items have now been received with the final version being presented to the Board at this meeting. The Head of Finance advised members of the next steps and the expected date to lay the accounts. At ARAC meeting on 17 June 2022, following scrutiny of the Annual Report and Account, it was agreed to recommend approval to the Board.

After discussion and scrutiny of the Report the Board congratulated the Head of Finance & Estates and his team on the unqualified accounts.

The Board approved the Annual Report and Accounts.

11.2 Pension Valuations and Assumptions (Verbal)

The Head of Finance & Estates confirmed that there had been no change to the document that had been presented at the May Board Meeting.

The Board noted the update.

11.3 Report to Those Charged with Governance (Paper 70/22)

The Head of Finance & Estates advised the draft letter of representation will be signed by the Chief Executive.

The Board noted the paper.

11.4 Charter for provisions of Internal Audit Services (Paper 71/22)

The Head of Finance & Estates advised that this is a standard document and asked the Board to note the paper

The Board noted the paper.

11.5 Internal Audit Annual Accounts and Opinion (Paper 72/22)

The Board were advised that this paper is cross-referenced with the Annual Report & Accounts and that Internal Audit had provided a 'satisfactory' assurance.

The Board Chair congratulated the Finance team on this achievement.

The Board noted the Internal Audit Annual Accounts and Opinion.

11.6 Draft PBNI Risk Register 2022/23 (Paper 73/22)

The paper was being brought to the Board for approval; the ARAC had discussed the Register at its meeting on 17 June and agreed to recommend approval to the Board, with one action being that horizon scanning is to be included going forward.

The Board approved the Risk Register 2022/23.

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

Mr Johnston, Committee Chair, advised that the first meeting of the CRC of this tenure, took place on 10 June 2022. The Committee discussed its Terms of Reference (TOR) which had been brought forward from the previous committee. It was agreed that the Committee would review the TORs once the Committee was established under this tenure. The A/Director of Operations provided information on the Risk Register and the Committee was content with the amendments made.

The Head of Finance & Estates provided an update on legal cases, advising that one case had been settled and was below the delegation limit. He also provided a comprehensive update on finance and budget planning with the Committee agreeing it was content with the report. A compliment of full staffing versus budget was discussed together with Pay Modernisation. It was noted that only contracted spending was allowed with no new projects to be started. The Estates Strategy provided information on the 10-year plan for the Estate, considering shared space with partners and hybrid / home working.

The Head of HR & OD provided information on the Culture project, which included an update on progress of the Mobility Policy, Hybrid Working Policy and the SFO procedures. Sick Absence was discussed with the detail of the underlying reasons provided. Assurance was given to the Committee that there were policies in place to manage absence.

The Committee Chair thanked the Officials for their comprehensive reports and the Committee looked forward to further reports.

The Board noted the update.

12.1 Financial Outturn Report (Paper 74/22)

The Head of Finance and Estates provided an update on expenditure to date. In the continuing absence of a functioning Executive, PBNI has not yet received opening budget allocations for 2022-23. However, PBNI has received planning envelopes in respect of non-ring-fenced items, Resource DEL, Capital DEL and ring-fenced non-cash Resource DEL (which includes depreciation). The Members were taken through the paper by category of spending.

The Board noted the update.

12.2. Funding Review (Paper 75/22)

The Head of Finance & Estates advised that the paper set out the funding implications arising from the contingency planning envelope. The 2% proposed reduction has not been factored into the planning envelopes. The Members were advised of the pressures and over commitments as laid out in the paper. The current over commitment is estimated at £714k for 2022/23 and the Board discussed how the pressure would be addressed. Members were informed that the uncertainties causing an issue forecasting of current against actual. In answer to a question on Problem Solving Justice, it was advised that the further roll out of ECO may not go ahead but the Members will be updated each month on the status of this.

There was a discussion on funding of the Community & Voluntary Sector, which is noted as a risk in the Risk Register. What would the impact be on operations in terms of not delivering against what has been planned. The Members were informed that the impact is minimal at this time as referrals can still be made and it can be uplifted quickly if more funding becomes available.

The Board noted the paper.

12.3. Sick Absence Report (Paper 76 and 79)

The Head of HR provided a summary of the sick absence report for May. The days per colleague is lower than the peak last year. The most frequently given reason for absence is stress usually arising from outside the workplace. The initiatives for dealing with absence has shifted and it is more about engaging with staff earlier with hybrid working being considered as being a positive factor. A member noted the disproportionate days lost in rural teams. The Head of HR & OD provided an explanation and what the HR team, is focusing on to help with absenteeism.

The Year-End report for 2021/22 was considered by the CRC at its meeting on 10 June 2022. It was noted that working from home had helped with attendance but now that there is a return to the workplace the figures are rising again. It was noted that the NICS is also seeing an increase. It is acknowledged that staff are feeling under pressure due to the increased vacancies because of high levels of turnover. There are more and earlier referrals to the Occupational Health Service. Return to Work interviews are conducted. Addressing the culture factors and delivering pay modernisation are seen as key to promote better attendance.

The Board noted the paper.

12.4. Challenges of Recruiting (Paper 78/22)

The Head of HR & OD took the Members through the presented paper. The Board is aware that there are fewer qualified social workers in the workplace with vacancies across all organisations that employ social workers. PBNI is successful in employing newly qualified social workers but struggle to retain them. The entry salaries are similar with Health but the Health Trusts pay more after 5 years' service. Pay modernisation would be seen as critical to addressing the turnover. The Organisation is also looking at recruiting experienced social workers and paying them for their years of experience instead of having to start staff routinely at the bottom of the pay scale. The members noted the Next Steps.

The Board noted the paper

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

Dr Byrne, Committee Chair, advised that there had not been a meeting of the Committee since the last Board meeting and confirmed that there were no items of concerns or emerging issues to report. The next meeting of the Committee will be on 5 August 2022.

14. OTHER BUSINESS

There was no other business discussed or reported. The Board Chair wished all present, a pleasant summer and the next Board meeting will be 26 August 2022.

The meeting ended at 12.50 pm.

Mr Max Murray CBE
Board Chair

Date